

GOVERNMENT OF KHYBER PAKHTUNKHWA



## COMPENDIUM OF RULES OF BUSINESS, 2015

1. DISTRICT GOVERNMENT
2. TEHSIL AND TOWN MUNICIPAL ADMINISTRATION
3. VILLAGE AND NEIGHBORHOOD COUNCILS

LOCAL GOVERNMENT, ELECTIONS AND  
RURAL DEVELOPMENT DEPARTMENT



The compendium of Rules of Business, 2015 has been published with the support of the Sub-National Governance Programme (SNG). The SNG Programme aims to support the provincial and district governments of Khyber Pakhtunkhwa to improve public services that meet the needs of the citizens, especially the poor including women and girls.

# FOREWARD

The Government of Khyber Pakhtunkhwa enacted the Local Government Act (LGA) 2013, for the revival of a decentralized system erected on the principle of subsidiarity and empowering people to elect their representatives for a three-tier local government system. The LGA deviates positively from the past attempts for decentralization on two counts. Firstly, instead of the union councils, this law provides for further devolution of political, administrative and financial powers to the village and neighborhood councils in the rural and urban areas respectively. Secondly, the Act stipulates that 30 per cent of the annual development programme of the province shall be allocated to the local governments through the Provincial Finance Commission award.

The prime objective is to take down decision making i.e. planning, identification of projects, development initiatives and implementation to all the three tiers of the Local Government in order to respond to people's expressed needs and aspirations. This aims at creating ownership among the communities by bringing the state and citizens closer to each other.

The government has approved the Rules of Business (RoBs) 2015 for all the three tiers of local governments under the LGA 2013 to provide the institutional framework to the local government system. The RoBs have been compiled in this compendium for ready reference and use by the government functionaries. The structure of this booklet has been designed in such a way that the original legal document is kept intact without changing the sequence and original numbering of the Rules in order to avoid any confusion. The booklet is divided into three parts-the District Government Rules of Business 2015; the Tehsil and Town Municipal Administration Rules of Business 2015; the Village and Neighbourhood Rules of Business 2015.

# CONTENTS

<b>District Government</b>	1
<b>PART-I</b> General	2
<b>PART-II</b> Reference to the Nazim	19
<b>PART-III</b> Procedure for Consultation	21
<b>PART-IV</b> Bye – Laws	26
<b>PART-V</b> District Council Business	28
<b>PART-VI</b> Miscellaneous Provisions	34
First Schedule	38
Second Schedule	40
<b>Tehsil and Town Municipal Administration</b>	1
<b>PART-I</b> General	2
<b>PART-II</b> Reference to the Nazim	26
<b>PART-III</b> Procedure for Consultation	29
<b>PART-IV</b> Bye – Laws	33
<b>PART-V</b> Council Business	35
<b>PART-VI</b> Miscellaneous Provisions	41
Schedule-I	46
<b>Village and Neighborhood Councils</b>	1
<b>PART-I</b> General	2
<b>PART-II</b> Office Procedure	20
<b>PART-III</b> Reference to the Nazim	24
<b>PART-IV</b> Miscellaneous Provisions	27

**DISTRICT  
GOVERNMENT  
RULES OF BUSINESS  
2015**



**GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
LOCAL GOVERNMENT, ELECTIONS AND  
RURAL DEVELOPMENT DEPARTMENT**



**NOTIFICATION**

*Peshawar, dated the November 3, 2015*

NoSO(Dir)ROB/LGE&RDD/2015. In exercise of the powers conferred by section 112 of the Khyber Pakhtunkhwa Local Government Act, 2013 (Khyber Pakhtunkhwa Act No. XXVIII of 2013) the Government of Khyber Pakhtunkhwa is pleased to make the following Rules, namely;

**THE KHYBER PAKHTUNKHWA  
DISTRICT GOVERNMENT RULES OF  
BUSINESS, 2015.**

## **PART-I**

### **GENERAL**

- 1. Short title and commencement.** (1) These rules may be called the Khyber Pakhtunkhwa District Government Rules of Business, 2015.  
(2) These rules shall come into force at once.
- 2. Definitions.** In these rules, unless the context otherwise requires:
  - (a) “Act” means the Khyber Pakhtunkhwa Local Government Act, 2013 (Khyber Pakhtunkhwa Act No. XXVIII of 2013);
  - (b) “branch” means a basic working unit in a district office as determined by the District Government and includes a sub-office;
  - (c) “business” means the work done by the district government; pursuance to the Act;
  - (d) “case” means a particular matter under consideration and includes all papers pertaining to it and necessary for its disposal, such as correspondence and notes and any previous papers connected with the subject;



- (e) “Chief Secretary” means the Chief Secretary to the Government of Khyber Pakhtunkhwa;
- (f) “Council” means the district council of the district concerned;
- (g) “district office” means a self-contained administrative unit in the Secretariat responsible for the conduct of business of district government in a district in a specified sphere, and designated as such under these rules;
- (h) “district officer” means an officer entrusted with the administrative and financial charge of a district office in the district government;
- (i) “Deputy Commissioner”, means the Deputy Commissioner of the district concerned posted and notified as such by the Government;
- (j) “Nazim” means Nazim District Government;
- (k) "Naib-Nazim" means Naib-Nazim District Council;
- (l) “Schedule” means a Schedule appended to these rules;

- (m) “Secretary” means Secretary of the Council as provided in sub-section (9) of section 79 of the Act; and
- (n) “Secretariat” means the offices of district government when referred to collectively.

**3. Allocation of business.** (1) The Secretariat shall consist of the district offices and their operational components specified in column 2 and 3 of the First Schedule respectively appended with these rules.

(2) The business shall be distributed amongst the district offices in the manner indicated in the Second Schedule.

(3) The Government may, where-ever deem fit, constitute new district offices or operational component thereof or transfer any operational components from one District Office to another.

(4) The functions allocated in the Second Schedule shall include functions relating to planning, development, budgeting, maintenance of accounts, procurement of goods and services for the respective district offices and service matters except those excluded through special or

general order by the Government or district government.

(5) In addition to the relevant provisions provided in the Act or these rules, as the case may be, the district government shall have the following functional jurisdiction for the purpose of development investment as provided in the Planning and Development Guidelines for local governments;

- i. Primary and Secondary Health, including BHUs, RHCs, Child Health Care Centers and Hospital other than District Hospitals and Tertiary Hospitals;
- ii. Social and Population welfare except those specified for provincial government;
- iii. Sports, Tourism and Culture;
- iv. Agriculture except those specified for provincial government;
- v. OFWM, Soil Conservation, Livestock and veterinary Dispensaries;
- vi. Rural Development and rural works;

- vii. District Roads and Buildings;
- viii. Funeral Places/ Janazgah;
- ix. Solarization;
- x. Village Electrification;
- xi. Flood Protection;
- xii. Water Supply and Sanitation; and
- xiii. Special Initiatives and programs.

(6) Notwithstanding anything contained in the schedules referred in (1) and (2) above, establishment of new facilities, having recurrent financial implications and creation of posts in all devolved sectors shall be within the purview of the provincial government.

- 4. Structure and working of district administration.-** The district administration shall comprise of the district offices, including their sub-offices, devolved to district government under the Act, headed by officers designated as district officers and coordinated by the Deputy Commissioner.

**5. Organization of district offices.-** (1) A district office shall consist of an officer designated as District Officer and such other officers and officials as may be indicated in the schedule of establishment for that office by the respective Government Departments for devolution to district government.

(2) The district officer shall, by a standing order, distribute the work of the district office among its officers, officials and branches.

**6. Powers and functions of the Nazim. ---** (1) The Executive Authority of the district government shall vest in Nazim and he shall exercise his powers and perform functions as provided in Sections 11, 12, 13, 14, 15 and 16 of the Act within the policy framework of the government.

(2) Nazim shall be the approving authority for expenditure within prescribed sphere of responsibilities however, he shall not be the co-signatory of the cheques with the Drawing and Disbursing Officers at District;

(3) Nazim shall be a non-voting co-opted member of District Development Advisory

Committee in their respective district to participate in the meetings for avoiding duplication and overlapping of development schemes being executed under different funding arrangements.

## **7. Powers and functions of the Naib Nazim-**

(1) The Naib Nazim shall have the following functions and powers with regard to Council meetings:

- (a) preside over the Council meeting as and when convened by the Nazim; and
- (b) the Naib-Nazim shall:
  - (i) call the sitting to order;
  - (ii) preserve order and decorum;
  - (iii) have all powers necessary for the purpose of enforcing his decisions in the Council;
  - (iv) in case of disturbance or disorder in the galleries, have the power to cause them to be cleared;
  - (v) decide all points of order;

- (vi) supervise the elections of the Standing and other Committees of the Council;
- (vii) act as Nazim in case of situation warranted by the provision of Section 59(3) of the Act;
- (viii) have the powers to withdraw his consent already communicated for the presentation of a privilege motion, an adjournment motion or a resolution if some fresh material is furnished to him on account of which he is satisfied that the withdrawal of the consent already granted was necessary to be revoked;
- (ix) as soon as may be, after the commencement of every session, nominate, from among the members a panel of not more than two chairmen, any one of whom may preside at a meeting of the council in the absence of the Naib Nazim, when so requested by the Naib Nazim: Provided that where no such request has been made by the Naib Nazim, any one of them may

preside in the order in which their names appear in the panel.

Provided that If at any time at a sitting of the Council neither the Naib Nazim nor any member of the panel of chairmen is present, the council shall, if there is a quorum, by motion elect one of its member present to preside and act as Naib Nazim and for this purpose the secretary shall hold the election by show of hand.

Provided further that the member competent to preside over a sitting of the Council shall, have the same powers as the Naib Nazim when so presiding and all references to the Naib Nazim in the rules and byelaws shall in that case be deemed to be references to any such person so presiding.

**8. Functions of the Deputy Commissioner.- (1)**

The Deputy Commissioner shall be coordinating head of the Secretariat to facilitate in day to day working of the district government and to:

- (a) Ensure expeditious disposal of the business for convenience of the people;
- (b) issue standing orders specifying the cases or class of cases which may be disposed of by



an officer subordinate to him within time period prescribed by the government or district government;

- (c) Co-ordinate and supervise activities of district offices for evidence and need based robust planning, equitable and systematic development, effective and efficient functioning;
- (d) Ensure that the business of all the group of offices in the district government is carried out in accordance with law & rules and the human and material resources placed at his disposal are optimally utilized to improve governance;
- (e) Exercise general supervision and control over programs, projects, services, and activities of the district administration;
- (f) Coordinate flow of information required by the Council;
- (g) Perform as Principal Accounting Officer of the district government and be responsible to the Accounts Committee of the Council and Public Accounts Committee of the Provincial Assembly;

- (h) Call for information and reports from local governments in the district as required by the Government or district government;
- (i) assist the Nazim in performance of his functions and formulation of policy of the district government;
- (j) prepare periodical reports including reports on implementation of development plans, segregated by gender, for submission to the government and presentation in the Council;
- (k) Implement approved policies of the district government;
- (l) be responsible to the Finance Department of the Government of Khyber Pakhtunkhwa in all financial management and financial discipline at district level
- (m) Keep the Government informed, through Commissioner, on important issues and matters having significant social, economic or administrative implications; and

**Explanation.-** ‘Coordinating Head’ means the authority to call for review and assess the performance of district offices and give directions for taking actions or measures to improve

efficiency, service delivery and achievement of assigned targets and goals.

(2) All cases submitted to the Nazim shall be routed through the Deputy Commissioner and while submitting a case for orders of the Nazim, he shall suggest a definite line of action.

(3) In matters of policy and important decisions, the Deputy Commissioner shall obtain approval of Nazim before communicating such matters and decisions to the Government.

**9. Functions of district officer.-** A district officer entrusted with the charge of a district office in district government shall:

- (a) be responsible for observance of laws, rules and bye-laws, efficient conduct of business, administrative and financial discipline in the office;
- (b) issue, subject to any general or special standing orders of the district government, orders specifying the cases or class of cases which may be disposed of by an officer subordinate to him;

- (c) ensure that the human and material resources placed at his disposal are optimally utilized to improve governance;
- (d) co-ordinate and supervise the activities of the office in his charge and ensure efficient service delivery by the functionaries under his administrative control;
- (e) provide information to the Standing Committee of the Council for the district office and take corrective actions based on information received from such Standing Committees;
- (f) enforce relevant laws, rules and bye- laws governing the relevant function in the local government;
- (g) prepare and propose budgetary allocations for the office in his charge, prepare development plans for the devolved functions and implement approved plans;
- (h) oversee utilization of resources necessary for proper execution of programs, projects, services, and other activities;
- (i) propose bye laws to improve service delivery in the function allocated to his charge;

- (j) prepare periodical and annual reports on the working and performance of the office in his charge.
- (k) exercise financial sanctions for execution of development projects and release of payments within prescribed time for respective devolved offices and functions.

**10. General procedure for disposal of business:-**

- (1) The Deputy Commissioner shall circulate instructions about the manner and timelines for disposal of the business of the district government.
- (2) If any doubt arises as to the district office to which a case properly pertains, the matter shall be referred to the Deputy Commissioner, who shall obtain orders of Nazim, if necessary, and the orders thus passed shall be final.
- (3) All orders shall be in writing, however, in case of verbal orders, the officer receiving the orders shall reduce it in writing, and as soon as may be, submit it to the authority, making the orders for confirmation.
- (4) If an order contravenes any law, rules, regulations or policy of the government or district government, the authority next below the authority making such

order shall point it out to the authority making such order and if the later does not agree, it shall refer the case to the next higher authority or the government, as the case may be, for appropriate decision.

(5) No case shall be kept pending for more than three working days by an officer. If processing of a case requires more time, the immediate superior shall be informed. A report of the pending cases in an office shall be prepared at the end of every month and submitted to the Deputy Commissioner. Reasons for delay in the disposal of such cases shall be recorded and report submitted to the government.

## **11. Inspections by the Provincial Local Government Commission.-**

(1) The district government shall extend all the necessary support to the Inspection Teams deputed by the Local Government Commission while conducting annual and special inspections of the district government.

(2) The district offices of the district government shall provide all the necessary assistance and relevant documents to the Commission promptly under intimation to the Nazim.

**12. Orders, instruments, contracts and litigation:-**

(1) All executive actions of the district government shall be taken in the name of district government.

(2) Save in cases where an officer has been specifically empowered by the Nazim, to sign an order or instrument on behalf of the district government, every order or instrument shall be signed by such officer, and such signature shall be deemed to be proper authentication of such order or instrument.

(3) Making and execution of contracts and assurances of property in district government shall be subject to instructions of Law, Parliamentary Affairs and Human Rights Department of the Government.

(4) The district government may sue and be sued in its name through the Deputy Commissioner.

**13. Posting and Transfer policy:-**The transfers and posting of officers in a district government shall be regulated by the Government transfer and posting policy for the time being in force as per following table:-

<b>S#</b>	<b>Officers</b>	<b>Authority</b>
1	<i>Posting of Deputy Commissioners</i>	<i>Provincial Government</i>
2	<i>Posting of District Heads of devolved departments</i>	<i>Provincial Government</i>
3	<i>Other officers in BS-17 &amp; above posted in the district</i>	<i>Provincial Government</i>
4	<i>Officers / officials in BS-16 &amp; below</i>	<i>Concerned district head as per rules and regulations</i>



## **PART-II**

### **REFERENCE TO THE NAZIM**

**14. Reference to the Nazim.-** (1) No order by the district administration shall be issued without the approval of the Nazim, in the following cases:

- (a) proposals for the levy of new taxes and making or withdrawal of byelaws;
- (b) resource position and budget proposals before presentation of the budget and financial statements to the Council;
- (c) vital social, political, economic and administrative policies of the District Government;
- (d) requisition for meetings of the Council except meetings requisitioned for consideration of no confidence motion against him;
- (e) annual reports on the working and performance of district government for submission to the Government; and
- (f) important reports and documents required to be laid before the Council.

(2) Notwithstanding the provisions of sub-rule (1), the Nazim may, in cases of urgency or other

exceptional circumstances, give directions in writing as to the manner of disposal of a case, without prior reference to him and the cases so disposed of shall be reported to the Nazim at an earliest opportunity thereafter.

**Explanation:** For the purpose of sub-section 2 above urgency or exceptional circumstances means a situation where the routine administrative procedure is either not feasible or causes delay in timely response to the situation.

(3) With respect to a case mentioned in sub-rule (1), the district officer concerned shall initiate a note titled as “Note for the Nazim”, including a self-contained, and objective brief stating relevant facts and the points for decision with specific recommendations and the Deputy Commissioner shall submit the case to the Nazim with appropriate advice.

(4) The Note containing orders of the Nazim shall be returned to the initiating officer.

(5) The Deputy Commissioner shall keep the Nazim generally informed of all matters affecting public tranquility in the district and cases having major political implications.

## **PART-III**

### **PROCEDURE FOR CONSULTATION**

**15. Consultation among district offices.-** (1) When a case concerns more than one district offices:

- (a) the initiating district office shall be responsible for consulting the other district offices through a reference encompassing all relevant facts and the points necessitating consultation; and
  - (b) no orders shall be issued and no case shall be submitted to the Nazim or the Council until it has been considered by all the concerned District Offices and routed through the Deputy Commissioner.
- (2) In the event of difference of opinion, the district office primarily concerned with the case shall submit it to the Nazim through Deputy Commissioner.

**16. Consultation with district finance office.-** (1) All district officers shall, ensure previous consultation with district finance office in the following matters:

- (a) expenditure for which no provision exists in relevant head of budget;
- (b) a change in the number or nomenclature or basic scale of a post or in the terms and conditions of service of the Government Servants or their statutory rights and privileges which have financial implications;
- (c) re-appropriation within the budget grants earmarked for education, health and clean drinking water and sanitation;
- (d) alteration in financial procedure or in the method of compilation of accounts or of the budget estimates; or
- (e) interpretation of financial rules.

**17. References to Government on service and legal matters.-** (1) District offices shall route their references to the Government through the Deputy Commissioner on following matters requiring:

- (a) determination of the principles of control of the Government servants, including recruitment, conditions of service and discipline;

- (b) co-ordination of policy with regard to services for purposes of consistency of treatment;
  - (c) legislation and rules or their interpretation;
  - (d) execution of agreements and Memorandum of Understanding;
  - (e) consideration of legal questions arising out of any case; and
  - (f) institution or defense of civil proceedings in Courts in which the Government is involved.
- (2) The district office intending to refer any of the matters in sub-rule (1) to Government shall draw up specific points on which the decision of the Government is required and shall send a self-contained reference, giving all the information and details necessary for an appropriate decision, to the Deputy Commissioner for submission to Government.
- (3) No district office shall, without approval of the Council, authorize any orders, other than an order in pursuance of any general or special delegation by the Government, which involve:

- (a) reduction or extension in the scope of functions of a district office as specified in Second Schedule or the transfer of such functions from one district office to another;
- (b) re-organization or change in the status of offices directly administered by a district office; and
- (c) any change in the terms and conditions of service or the statutory rights and privileges of Government servants.

**18. Committee of the district officers.** --- (1) There shall be a committee of district officers, constituted by the Nazim with the Deputy Commissioner as its Chairman, to discuss and decide matters referred to it by the Nazim or a district officer, as the case may be.

- (2) A district officer, who wishes a particular matter to be discussed in a meeting of the Committee, shall prepare a brief note which would form the basis of discussion.
- (3) On receipt of the note, the Deputy Commissioner shall issue notice of the meeting together with the agenda, well in advance of the meeting, provided

that urgent items may be considered at short notice.

- (4) district officers shall attend the meetings of the committee.
- (5) Proceedings in the committee shall be recorded and shall be circulated after approval by the Chairman.
- (6) The district officer concerned shall process the recommendations of the committee in accordance with these rules.

## **PART-IV**

### **BYE – LAWS**

#### **19. Making and amendments of bye-laws. --- (1)**

The district office administratively concerned with the subject shall be responsible, through Deputy Commissioner for determining the contents of bye-laws proposed for the sector and obtaining approval of the Nazim District Government to process a case for submission to the District Council.

(2) While according approval to the proposal, the Nazim District Government shall also indicate the manner as to which of the draft proposal may be submitted before the District Council including the following:

- a) the draft may be taken into consideration at once; or
- b) it may be taken up at a specified date in future; or
- c) it may be referred to respective standing committee of the District Council; or
- d) it may be circulated for purposes of eliciting public opinion thereon.



- (3) On receipt of approval indicated in sub-rule(2), the district officer shall send to Secretary of the District Council a memorandum, including a statement detailing the factors necessitating the bye-laws, the objects of the proposal and a draft of the bye-laws, for inclusion in the business of the District Council.
- (4) The district officer shall thereafter prepare a brief for the use of the Nazim District Government at the time of introducing the draft bye-laws in the District Council

## **PART-V**

### **DISTRICT COUNCIL BUSINESS**

**20. Bye-laws on conduct of business in the District Council.** --- All concerned, in the conduct of the business, shall comply with the bye-laws governing the conduct of business in the District Council.

**21. Meetings of the District Council.-** (1) The secretary of the District Council shall obtain orders of the Nazim District Government for convening a session of the Council in accordance with the bye-laws on the conduct of business and conduct of meetings of the Council and take further action on such orders.

(2) All district officers shall keep under review the business intended to be brought before the District Council and shall, not later than three days before the commencement of the session, forward to the secretary of the Council a detailed list of such business.

(3) The secretary of the District Council shall prepare a provisional forecast of the official business to be

brought before the District Council and shall make appropriate proposal to the Nazim District Government for the allotment of time for the transaction of such business.

**22. Termination of the Session.-** The secretary of the District Council shall, at an appropriate time, obtain orders of the Nazim District Council, for termination of the session on conclusion of the business.

**23. General provisions regarding District Council business.-** (1) Each district office shall nominate a focal person for liaison and smooth conduct of business in the Council and intimate his particulars to the Deputy Commissioner and secretary of the District Council.

(2) The concerned Department shall take prompt action on receipt of copies of the resolutions, motions, questions, call attention notices and other business to be brought before the District Council.

(3) In case a resolution, motion, question, call attention notice or any other communication has wrongly been addressed to a district office, it shall

promptly transfer it to the concerned district office under intimation to the secretary of the District Council.

- (4) As soon as any communication is received from the secretary of the District Council or any other office regarding the business of the District Council, the person receiving the communication shall at once bring it to the notice of the focal person and the district officer.

**24. Resolutions and Motions.-** (1) When an official resolution or motion is to be moved in the District Council, the concerned district officer shall forward it together with a formal notice duly signed by the Nazim District Government to secretary of the District Council.

- (2) On receipt of a non-official resolution or motion from the secretary of the District Council, the concerned district officer shall examine the communication and determine whether discussion of the resolution or motion, or any part of the same, would be detrimental to the public interest. If so, he shall point it out, with reasons, in its comments and process it, with a brief, for

consideration and use of the Nazim District Council.

- (3) On receipt of a resolution passed by the District Council, the concerned district officer shall immediately take appropriate necessary action and shall, within fifteen (15) days from the date of the receipt of the resolution apprise the secretary of the District Council of the action taken on the resolution.

**25. Questions.-** (1) On receipt of each question (starred, un-starred or short notice), the concerned district officer shall prepare an appropriate reply and, subject to approval of the Nazim District Council, forward the required number of copies to secretary of the District Council in accordance with the bye-laws on conduct of business in the District Council.

- (2) The district officer shall also prepare a brief for purposes of supplementary questions for use by the Nazim District Council.

**26. Call Attention Notices.-** On receipt of a call attention notice the concerned district officer shall prepare an appropriate reply and a brief for

purposes of supplementary questions, for use by the Nazim District Council.

**27. General Discussion.-** Whenever a day is fixed for general discussion on any issue, the concerned district officer shall remain present in the official gallery during the discussion for taking notes and preparation of a brief for use by the Nazim District Council.

**28. Budgets.-** (1) The Deputy Commissioner shall obtain approval of the Nazim District Government for the date for presentation of the annual and supplementary budgets and communicate such orders to the Secretary of the District Council for appropriate action in accordance with the Act.

(2) On receipt of a motion proposing a cut in the demand or supplementary demand for grant of funds, the concerned district officer shall examine the points raised in the motion, or any further points likely to be raised, and prepare a brief for the use of the Nazim District Council.

(3) The Deputy Commissioner shall release the approved budget or funds for district offices and

other tiers of local governments within three working days as and when received from the provincial government.

**29. Undertakings and assurances.-** The concerned district officer shall be responsible for giving effect to any undertaking or assurance given by the Nazim District Government in the District Council.

## **PART-VI**

### **MISCELLANEOUS PROVISIONS**

- 30. Compliance with direction of Government.-**The district government shall comply with directions issued by Government or any other authority under the Act.
- 31. Protection and communication of official information.-** (1) A Government servant shall not communicate any information acquired directly or indirectly from official documents or otherwise to the media, to non-officials, or to officials belonging to other Government offices, unless he has been, generally or specially, empowered or obligated to do so.
- (2) Ordinarily, all official news and information shall be conveyed to the media through the official spokesmen of the district government nominated by the Nazim.
- (3) The Deputy Commissioner shall, from time to time, circulate instructions about the treatment and custody of official documents and information of a confidential character.



- 32. Channel of correspondence.-** (1) Subject to Part-III of these rules, all correspondence with Government shall be conducted by the concerned district officer and it shall ordinarily be addressed to the Secretary of the Department concerned.
- (2) All correspondence with government of a foreign country or a Pakistan diplomatic mission abroad or a foreign mission in Pakistan or an international organization shall be conducted through the Government:
- (3) All correspondence with the attached departments, regional offices and autonomous bodies shall be conducted directly by the concerned district officer and it shall ordinarily be addressed to the heads of the organizations concerned.
- (4) All correspondence with the Advocate General shall be conducted with the prior consent of Law Department.
- (5) All correspondence within the district regarding Tehsil Municipal Administration and Village and Neighborhood Council shall be conducted through Tehsil Municipal Officer and Assistant

Director Local Government & Rural Development respectively.

**33. Manner for transaction of business.-** (1) The business shall be transacted in accordance with the channels of communication laid down in these rules and instructions.

(2) If oral discussions are held with the Nazim by an officer, he shall communicate the points made during the discussion to his district officer in writing at the earliest.

**34. Performance Evaluation Report.-**The Reporting line for the Annual Performance Evaluation Reports of officers, posted in the district government shall be as under-

<i>S#</i>	<i>Officers</i>	<i>Reporting Officer</i>	<i>Countersigning Officer</i>
1	Deputy Commissioner	Divisional Commissioner	Chief Secretary
2	District Officer	Deputy Commissioner	Head of the Administrative Department
3	Officers posted in district Devolved	District Officer	Deputy Commissioner

<i>S#</i>	<i>Officers</i>	<i>Reporting Officer</i>	<i>Countersigning Officer</i>
	offices		
4	Assistant Commissioners	<i>Deputy Commissioner</i>	<i>Divisional Commissioner</i>

**Note:** While writing the Performance Evaluation Report or Annual Confidential Report, as the case may be, the reporting officer, may give due consideration to the feedback provided by the District Nazim concerned.

**35. Repeal.**-The District Government Rules of Business, 2001 are hereby repealed.

## FIRST SCHEDULE

### {See Rule 3 (1)}

Sr #	Proposed District Office	Operational Components
1	Administration	Revenue Administration, Coordination, Human Resource Management, Finance, Planning and Development
2	Agriculture Extension	Agriculture (Extension)
3	Livestock and Dairy Development	Livestock and Dairy Development (Extension)
4	On-farm water Management	On-Farm Water Management
5	Fisheries	Fisheries
6	Soil Conservation	Soil Conservation
7	Cooperatives	Cooperatives
8	Sports, Culture & Youth affairs	i. Sports ii. Culture iii. Youth affairs
9	Social Welfare	i. Social Welfare, ii. Women Empowerment iii. Special Education
10	Education	Primary and Secondary Education, Vocational Education( except those functions entrusted to TEVTA)

Sr #	Proposed District Office	Operational Components
11	Health	i. Primary Health Care including hospitals (except District Headquarter Hospitals, Teaching and Tertiary Hospitals), ii. Rural Health Centers, iii. Basic Health Units, iv. Mother and Child Health Centers
12	Population Welfare	Public Health and Population Welfare
13	Local Government and Rural Development	Rural Development and Rural Works
14	Communication and Works	Communication and Works , District Roads & Buildings
15	Public Health Engineering	Public Health, Public Health Engineering

## SECOND SCHEDULE

### {See Rule 3 (2)}

## DISTRIBUTION OF BUSINESS AMONGST DISTRICT OFFICES

Sr#	District Office	Operational Components & Business
1	Administration	<p><b>Coordination</b></p> <ul style="list-style-type: none"> <li>i. General Coordination and supervision of District Offices</li> <li>ii. Welfare schemes for District Government employees</li> <li>iii. Local holidays and celebration of national events</li> <li>iv. Periodic review of the organization, staff, functions and procedure of the District Offices and Sub-Offices to improve efficiency for efficacious disposal of Business</li> <li>v. Matters relating to standardization, printing and proper utilization of stationery resources of the District Government</li> <li>vi. Preparation and periodical review of secretariat manuals and circulation of instructions</li> <li>vii. Review of staffing pattern of District Offices for optimal</li> </ul>

Sr#	District Office	Operational Components & Business
		<p>utility of human resources</p> <p>viii. Simplification of forms and procedures in District Offices</p> <p>ix. Service Reforms at district level</p> <p>x. Provision and allotment of residential accommodation to Government and District Government servants in the district</p> <p>xi. Compilation of the list of persons dismissed and debarred from future employment and its submission to the Government</p> <p>xii. Provision of Service Identity Cards for District Government employees</p> <p>xiii. Matters relating to domicile</p> <p>xiv. Relief during calamities and emergencies</p> <p>xv. Introducing Information technology to achieve the objectives of E Governance, E-Service Delivery, Web Content Management</p> <p>xvi. Pre-Qualification of firms to provide consultancy, software development and products to the local governments in Information Technology sector</p> <p>xvii. Registration of deeds and</p>

Sr#	District Office	Operational Components & Business
		<p>documents and registration fee</p> <p>xviii. Functions of Controlling Authority for the Enforcement Officers in terms of section 67 of the Act.</p> <p><b>Finance and Budget</b></p> <p>i. Supervision and control of District Finance</p> <p>ii. Ways and Means of District Government and matters relating to Provincial Finance Commission</p> <p>iii. Preparation and circulation of instructions for guidance of District Offices in financial management</p> <p>iv. Administration of Own Source Revenue of the District Government</p> <p>v. Examination and advice on matters affecting, directly or indirectly, the finances of District Government like emoluments, grants, contributions, allowances, honoraria, defalcation, embezzlement and losses</p> <p>vi. Assets and liabilities of District Government</p> <p>vii. Communication of financial sanctions</p>



Sr#	District Office	Operational Components & Business
		<ul style="list-style-type: none"> <li data-bbox="484 248 913 345">viii. Tax proposals in areas within the authority of District Government</li> <li data-bbox="484 362 913 557">ix. Preparation of Annual Budget, Supplementary Budget, Revised Estimates, Demands for Excess Grants and preparation and execution of output based budgeting</li> <li data-bbox="484 573 913 638">x. Appropriation and Re-appropriation with in Grants</li> <li data-bbox="484 654 913 719">xi. Supervision and maintenance of District Accounts</li> <li data-bbox="484 735 913 946">xii. Abolition and creation of posts on the Establishment of District Offices and examination of Schedule of New Expenditure with the approval of Provincial Finance Department</li> <li data-bbox="484 963 913 1060">xiii. Arrangement for Audit of Receipts and Expenditure in District Offices</li> <li data-bbox="484 1076 913 1174">xiv. Matters relating to District Accounts Committee and Public Accounts Committee</li> <li data-bbox="484 1190 913 1287">xv. Management of Audit reports on the accounts of District Government</li> <li data-bbox="484 1304 913 1401">xvi. Authentication of Audit Copies of releases from District Fund</li> </ul>

Sr#	District Office	Operational Components & Business
		<p>xvii. Assistance in the preparation of Annual Development Plan with clear targets for women, girls and marginalized groups.</p> <p>xviii. Reconciliation of monthly and annual accounts of Receipts and Expenditure</p> <p>xix. Preparation and publication of Annual Report on the State of Finance in District Government</p> <p>xx. Matters relating to internal controls and Departmental Accounts Committee</p> <p>xxi. Supervision and financial management in accordance with rules</p> <p>xxii. Consultation with Provincial Finance Department in policy matter</p> <p>xxiii. Mobilization of District Resources in consultation with Provincial Government.</p> <p>xxiv.</p> <p><b>Human Resource Management</b></p> <p>i. Management, Professional Development and Career Planning of human resources in local governments in the district</p> <p>ii. Preparation of training</p>

Sr#	District Office	Operational Components & Business
		<p>strategy, its implementation and monitoring</p> <p>iii. Training need assessment and preparation of training modules in coordination with District Offices</p> <p>iv. Collaboration and linkages with provincial and national training institutes.</p> <p>v. Short courses for officers and officials of local governments in the district in critical areas including management, office procedure, financial management, planning, development and, information technology.</p> <p>vi. Need based customized capacity building courses for district offices</p> <p><b>Planning and Development</b></p> <p>i. Preparation, implementation, monitoring and evaluation of District Annual Development Program in co-ordination with District Offices.</p> <p>ii. Preparation of Medium and Long Term District Development Plans.</p> <p>iii. Appraisal of development</p>

Sr#	District Office	Operational Components & Business
		<p>projects.</p> <p>iv. Collection, Analysis, Compilation and Publication of Development and Socio-Economic Statistics of the district.</p> <p>v. Undertaking Research and Surveys on strategic issues pertaining to the district for preparation of projects, programmes and plans.</p> <p>vi. Coordination with Provincial P&amp;D Department on issues pertaining to planning and development.</p> <p>vii. Working as secretariat for the District Development Committee for approval of development schemes and clearing house for development schemes within the competence of Provincial Development Working Party (PDWP).</p> <p>viii. Consolidation and processing of budgetary proposals for resource allocation, re-appropriation of district development funds, appropriations from block allocations and supplementary grants.</p> <p>ix. Coordination of nominations for training,</p>

Sr#	District Office	Operational Components & Business
		<p>seminars, conferences and workshops, notified by Provincial Government for elected representatives and officers of local governments in the district.</p> <p>x. Promotion of private sector development and public private partnership.</p> <p>xi. Focusing accelerated development of rain fed (barani) and less developed areas.</p> <p>xii. Framing guidelines for procurement of consultancy services.</p> <p><b>Revenue Administration</b></p> <p>i. Administration of Revenue field staff in the district</p> <p>ii. Custody of Government property in the District and eviction of unauthorized occupants of Government and District Government estates.</p> <p>iii. Appointment of village headmen and prescription of their duties.</p> <p>iv. Compulsory acquisition of land</p> <p>v. Computerization of land</p>

Sr#	District Office	Operational Components & Business
		<p>records, simplification of forms, processes and procedures in Revenue Offices</p> <p>vi. Management of copying agency and provision of certified copies of record</p> <p>vii. Management and maintenance of Revenue Courts and Revenue Offices buildings and compounds in the district.</p> <p>viii. Survey of crops and compilation of crops related statistics and reports</p> <p>ix. Recovery Land revenue, including Land Tax, Agriculture Income Tax, Local Rate, fees, fines and forfeitures</p> <p>x. Malba Cess Fund</p> <p>xi. Printing and revision of District Gazetteers and reports.</p> <p>xii. Recovery of Government and District Government dues as arrears of land revenue</p> <p>xiii. Tax on transfer of immovable property</p> <p>xiv. Transfer of property</p> <p>xv.</p>

Sr#	District Office	Operational Components & Business
2	Agriculture	<p><b>Agriculture extension</b></p> <ul style="list-style-type: none"> <li>i. Production, multiplication and marketing of seed certified by government</li> <li>ii. Coordination and Strengthening of research activities in Agriculture and related sectors district specific</li> <li>iii. Socio-economic studies for input into framing of agricultural policy.</li> <li>iv. Introduction of area specific special crops and crop forecast estimation</li> <li>v. Identification of under-developed areas, specific fields and adopting measures necessary to remove the causes of underdevelopment.</li> <li>vi. Protection against insects and pests through prevention of plants diseases and quality control of pesticides</li> <li>vii. Achievement of area and production targets of crops and preparation of strategy for implementation of crop production policy of the government.</li> <li>viii. Identification, preparation and implementation of projects in the District.</li> </ul>

Sr#	District Office	Operational Components & Business
		<p>ix. Enforcement of Agricultural sector specific laws and ensuring availability and quality of agriculture inputs.</p> <p>x. Management of agriculture extension farms and gardens</p> <p>xi. Collection, compilation and publication of agriculture sector information and statistics for research, policy formulation and training</p> <p>xii. Arboricultural operations</p> <p>xiii. Monitoring of agriculture inputs including</p> <p>a. fertilizer, pesticides and irrigation resources</p> <p>xiv. Promotion of modern agriculture technologies including mechanized farming techniques and other extension activities through method and result demonstration, farmers' gatherings, advocacy and publicity</p> <p>xv. Collection, compilation and dissemination of primary data, disaggregated by gender in the district.</p> <p><b>Social and Farm Forestry ( except those functions entrusted to Forest, Environment and Wildlife Department)</b></p>



Sr#	District Office	Operational Components & Business
		<ul style="list-style-type: none"> <li>i. Raising, promotion and protection of green belts and landscapes of local and district significance.</li> <li>ii. Promotion of social/ farm forestry in private lands.</li> <li>iii. Raising of nurseries of flowers and fruit plants.</li> <li>iv. Establishment of amenity Parks and recreational parks.</li> <li>v. Education and Awareness of public for development of floriculture and plantations.</li> <li>vi. Mass Media publicity and exhibition on planting, beautification and gardening.</li> <li>vii. Promotion of ornamental plantations, creepers and Kitchen gardening.</li> <li>viii. Plantation through public-private partnership.</li> <li>ix. Training and Research on floriculture, seed farms and green belts.</li> </ul>
3	<b>Livestock and Dairy Development</b>	<ul style="list-style-type: none"> <li>i. Promotion of private sector for establishment of dairy farms and poultry farms</li> <li>ii. Prevention of livestock and poultry diseases and training of villagers on prophylactic vaccination, management and</li> </ul>

Sr#	District Office	Operational Components & Business
		<p>first aid</p> <p>iii. Enforcement of livestock and poultry related laws and rules.</p> <p>iv. Artificial insemination, breed improvement and genetic up-gradation of livestock resources in the district.</p> <p>v. Livestock census, communication and extension services</p> <p>vi. Diagnosis, surveillance and control of diseases in livestock</p> <p>vii. Improvements of cattle markets</p> <p>viii. Milk and meat safety measures and inspections</p> <p>ix. Modernization of public sector slaughter houses and promotion of private sector investment</p> <p>x. Support services for small livestock farmers</p> <p>xi. Technical support to private enterprises investing in livestock</p> <p>xii. Promotion and regulation of Dairy Farms and Poultry Farms</p> <p>xiii. Human Resource Development for livestock and farm management</p> <p>xiv. Conducting livestock census in the district, its analysis, compilation and publication</p> <p>xv. Collection, compilation and</p>

Sr#	District Office	Operational Components & Business
		dissemination of primary data, segregated by gender;
4	<b>On-farm water Management</b>	<ul style="list-style-type: none"> <li>i. Organization and registration of Water Users Associations for improvement of watercourse and water management activities (On-Farm Water Management And Users Association Ordinance,1981)</li> <li>ii. Preparation and implementation of water management development plans.</li> <li>iii. Improvement of watercourse, precision land leveling, irrigation agronomy practices, groundwater management and harvesting of water resources.</li> <li>iv. Research and coordination of Water Management Operations</li> <li>v. Farm management research for planning, project formulation and evaluation in the district</li> <li>vi. Improvement of water management methods</li> <li>vii. Installation of tube-wells and research in the water management</li> <li>viii. Control water losses and provide water uses equitably and efficiently</li> <li>ix. Collection, compilation and dissemination of primary data</li> </ul>

Sr#	District Office	Operational Components & Business
5	Fisheries	<ul style="list-style-type: none"> <li>i. Extension services to private sector for promotion of fish farming and hatcheries</li> <li>ii. Conservation, management and promotion of fisheries in public waters including rivers, streams and canals except those in provincial and national control</li> <li>iii. Training through open training schools, advocacy, publicity and awareness campaigns</li> <li>iv. Issuance of district angling and sport fish licenses</li> <li>v. Enforcement of laws and rules relating to fisheries</li> <li>vi. Promotion of aquaculture activities.</li> <li>vii. Collection, compilation and publication of statistical data on fish and fisheries. Provincial level would be done by the Directorate since more than one district is involved</li> <li>viii. Promotion of fisheries and seed production</li> <li>ix. Protection and development of natural fisheries resources</li> <li>x. Development of fish hatcheries, sanctuaries and nursing units by the concerned districts and at provincial level where more than one district is involved</li> </ul>

Sr#	District Office	Operational Components & Business
		<ul style="list-style-type: none"> <li data-bbox="453 248 908 313">xi. Establishment of demonstration fish farms</li> <li data-bbox="453 329 908 427">xii. Technical and institutional support to community organizations in fisheries sector.</li> <li data-bbox="453 443 908 760">xiii. Extension services in fisheries including publicity, communication through media, exhibitions, seminars, workshops, symposia, roundtables, training and refresher courses for communities by the concerned district and at provincial level by the Directorate</li> <li data-bbox="453 776 908 841">xiv. Protection, promotion and conservation of fisheries</li> <li data-bbox="453 857 908 922">xv. Collection, compilation and dissemination of primary data</li> </ul>
6	Soil Conservation	<ul style="list-style-type: none"> <li data-bbox="453 951 908 1016">i. Enforcement of soil conservation laws and rules.</li> <li data-bbox="453 1032 908 1195">ii. Surveys of eroded areas and preparation of projects and plans for water harvesting, reclamation and conservation to control soil and water erosion.</li> <li data-bbox="453 1211 908 1308">iii. Construction of water disposal outlets and permanent structures to allow controlled water run-off</li> <li data-bbox="453 1325 908 1414">iv. Construction of check dams, water ponds and mini dams for conservation of soil and water.</li> </ul>

Sr#	District Office	Operational Components & Business
		<ul style="list-style-type: none"> <li>v. Afforestation and range management to control soil erosion through provision of advisory, technical, institutional support for soil conservation and water harvesting.</li> <li>vi. Evaluation of soil fertility status in the district and preparation of site specific fertilizer recommendations.</li> <li>vii. Diagnosis of salinity-sodicity hazards of soil and their reclamation.</li> <li>viii. Soil Survey, preparation of comprehensive inventory of soil resources of the District and their proper utilization</li> <li>ix. Reclamation of land</li> <li>x. Collection, compilation and dissemination of primary data</li> </ul>
7	<b>Cooperatives</b>	<ul style="list-style-type: none"> <li>i. Promotion of cooperative movement and organization, registration, audit and regulation of cooperative societies and associations in the district</li> <li>ii. Capacity building of staff, office bearers and members in cooperative societies</li> <li>iii. Encouraging organization and networking of communities in sector specific cooperatives</li> <li>iv. Introducing and encouraging</li> </ul>

Sr#	District Office	Operational Components & Business
		<p>Cooperative Farming and constitution of producer associations and consumer societies</p> <p>v. Support services, including agricultural loans and subsidies for farmers</p> <p>vi. Crop insurance in the district</p> <p>vii. Collection, compilation and dissemination of primary data</p>
8	<b>Sports, Culture &amp; Youth affairs</b>	<p><b>Sports</b></p> <p>i. Promotion of sports through infrastructure development</p> <p>ii. Talent scouting and building district sports teams</p> <p>iii. Annual sports competition and sports event management</p> <p>iv. Welfare of the Sportsmen</p> <p>v. Collection, compilation and dissemination of primary data</p> <p><b>Culture</b></p> <p>i. Promotional activities of Art and Culture, Language and Literature</p> <p>ii. Promotion of folk music and local cultural heritage</p> <p>iii. Promoting national integration</p> <p>iv. Financial and institutional assistance to cultural and literary bodies</p> <p>v. Collection, compilation and</p>

Sr#	District Office	Operational Components & Business
		<p>dissemination of primary data</p> <p><b>Youth Affairs</b></p> <ol style="list-style-type: none"> <li>Coordination of matters relating to youth organizations</li> <li>Provision of resources and institutional linkages for promoting youth exchange programs</li> <li>Production of documentaries and literature on youth related issues</li> <li>Building youth development as a priority in planning to prepare and enable youth discharge their national and social responsibilities</li> <li>Allocate resources to support and steer youth development programs;</li> <li>Preparation and publication of annual report on youth in the district</li> <li>Associate youth with decision making in projects, programs and plans for youth development;</li> <li>Encouraging character building and ethical values among youth</li> <li>Developing partnership and networking with civil society, national, regional and international organizations to optimize impact of youth</li> </ol>



Sr#	District Office	Operational Components & Business
		<p>development interventions.</p> <p>ii. x) Collection, compilation and dissemination of primary data</p>
9	Social Welfare	<p><b>Social Welfare</b></p> <p>i. Promote public sector facilitation and support for the protection, rehabilitation and look after of the deprived, marginalized and vulnerable individuals, groups and communities.</p> <p>ii. Sensitize the vulnerable people and marginalized communities to organize themselves by resolving their needs and problems on self help basis.</p> <p>iii. Facilitate Community Organizations, registration and regulating the affairs of the Voluntary Sector.</p> <p>iv. Provision of technical and financial support, to the Civil Society, Non-Profit Social Welfare Organizations.</p> <p>v. Strengthening the existing institutional care system and helping the people on need of support directly in their families and communities.</p> <p>vi. Promote evidence based information, planning, development and monitoring services.</p>

Sr#	District Office	Operational Components & Business
		<p>vii. Improve livelihood of the poor people through economic empowerment and skill development.</p> <p>viii. Support the affected people in crisis both in calamity as well as in man-made disaster.</p> <p>ix. Reducing social evils, harmful practices, and promoting peace through social mobilization, social or adult education and family facilitation centers.</p> <p>x. Promote public/private partnership in the areas of community and social welfare services.</p> <p>xi. Extend and enhance coordination amongst government and non-government partners in the area of social welfare services.</p> <p>xii. Creation of enabling environment for communities for communities to discharge their due role in national life.</p> <p>xiii. Preparation and implementation of project, plans and programs for organizing communities around collective issues through proactive advocacy, awareness, knowledge management and capacity building.</p>

Sr#	District Office	Operational Components & Business
		<p>xiv. Commissioning research and surveys on issues obstructing community development and community participation.</p> <p>xv. Developing linkages with organizations engaged in community development.</p> <p>xvi. Public awareness regarding human rights, tolerance, mutual respect and rights of minorities.</p> <p>xvii. Coordination with public and private sector, bodies and institutions for showcasing issues in human rights and measures to create an environment of respect for human rights.</p> <p>xviii. Collection, compilation and dissemination of primary data of vulnerable and disadvantage groups.</p> <p>xix. The Child Protection Units established under Child Protection and Welfare Commission shall perform the functions as defined under Section-10 of the Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010 at District level.</p> <p><b>Women Empowerment</b></p> <p>i. Initiation of protection of</p>

Sr#	District Office	Operational Components & Business
		<p>services in the public and at community level.</p> <p>ii. Promote partnership and restructuring in the area of women empowerment in service, research, training and development with government and other organizations.</p> <p>iii. Reduced and remove the negative values and practices against women through social action and laws.</p> <p>iv. Take measures for reducing gender gaps and violence in the family and at society levels through awareness campaigns and social actions.</p> <p>v. Enhance the roll and status of women within family and society through skills and equal economic opportunities in employment.</p> <p>vi. Transformation of the local governments into organizations that actively practices and promotes gender equality and women empowerment.</p> <p>vii. Provision of means and measures to increase participation of women in political process and encouragement of their effective representation in political and administrative spheres.</p>

Sr#	District Office	Operational Components & Business
		<p>iii. The District Committee on the Status of Women shall examine and review policies/programs and plans of each office in the District and to ensure that they address gender concerns adequately.</p> <p><b>Special Education</b></p> <p>i. Prepare policy plan of action and implementation for the welfare, development and protection of persons with disabilities.</p> <p>ii. Establish and further strengthen the institutional care for the person with disabilities in area of education and training, life management and other support.</p> <p>iii. Promote inclusive approach for the person with disabilities in education, social partnership, training and employment.</p> <p>iv. Promote rehabilitation, and employment of persons with disabilities both in public and private sectors.</p> <p>v. Promote barrier free mobility environment in the physical infrastructure and transport sector for the person with disability.</p> <p>vi. Promote preventive education for reducing the incident of disabilities.</p>

Sr#	District Office	Operational Components & Business
10	Education	<p><b>PRIMARY AND SECONDARY EDUCATION</b></p> <ul style="list-style-type: none"> <li>i. Provision of compulsory and free education to all children of age five to sixteen years and encouraging completion of primary education by all children, especially girls, in the district.</li> <li>ii. Administration and Management of primary, elementary, secondary and higher secondary education.</li> <li>iii. Distribution of free text books provided by the Government.</li> <li>iv. Planning and establishment of schools and improvement and provision of education infrastructure facilities and services in the district as per identified needs based on the technical standards and norms established by the Government.</li> <li>v. Ensuring and improving quality of education by putting in place system and processes for assessment, as prescribed for such purposes by the Government eliminating absenteeism, redressal of complaints, grant of scholarships/ assistance and production of education</li> </ul>

Sr#	District Office	Operational Components & Business
		<p>documentaries.</p> <p>vi. Promotion of sports and co-curricular activities in schools</p> <p>vii. Achievement of Millennium Development Goals as well as post MDGs.</p> <p>viii. Need based establishment and up-gradation of schools with particular focus on deficient areas according to criteria and policy of the Government.</p> <p>ix. Provision of science laboratories, additional class rooms and essential facilities in schools according to standards and technical norms set by the Government.</p> <p>x. Promotion of Parents Teachers Councils.</p> <p>xi. District Sectoral Planning.</p> <p>xii. Provision of Equipment, Furniture, School Libraries, Laboratory and IT Equipment.</p> <p>xiii. Examination as per policy and standard set by the Government.</p> <p>xiv. Academic Inspections and Supervision of Schools.</p> <p>xv. Arrange and manage disbursement of Scholarships and stipends</p> <p>xvi. Arrange Sports and co-</p>

Sr#	District Office	Operational Components & Business
		<p>curricular activities in schools</p> <p>xvii. Collect, compile and disseminate primary data relating to education of the District.</p> <p>xviii. Promote literacy.</p> <p><b>Vocational Education</b> ( except those functions entrusted to TEVTA)</p> <p>i. Matters relating to Vocational Training</p> <p>ii. Provision of necessary subvention for disadvantaged groups and areas in the district</p> <p>iii. Introduction of vocational programmers that meet the needs of employment market.</p> <p>iv. Grant of education assistance and scholarships</p> <p>v. Production and distribution of education and scientific documentaries</p> <p>vi. Teachers training and evaluation of their performance</p> <p>vii. Financial assistance to educationists and persons of letters and their families</p> <p>viii. Collection, compilation and dissemination of primary data</p>
11	Health	i. Ensure the delivery of



Sr#	District Office	Operational Components & Business
		<p>preventive, curative, rehabilitative and promotive health services in primary health care facilities ( BHU, RHC, CD, SHC and MCH) and hospitals excluding teaching hospitals and DHQs as per policies of the Health Department</p> <p>ii. Ensure implementation of laid down policies, quality standards, protocols and standard operating procedures in the district.</p> <p>iii. Formulate evidence-based district health plans for district health care delivery system based on real time data.</p> <p>iv. Planning, development and operational interventions in health facilities and outlets in the district for up-gradation and optimal usage of health care facilities leading to measurable improvement in primary and secondary health care.</p> <p>v. Ensures the provision of valid, timely and analyzed information on emerging health problems, disease surveillance and trends, including disaster preparedness and response.</p> <p>vi. Ensures the efficient and effective implementation of advocacy and health education strategies.</p>

Sr#	District Office	Operational Components & Business
		<ul style="list-style-type: none"> <li>vii. Supervision, monitoring and grievance redressal at district level.</li> <li>viii. Ensures the provision of medico-legal services in facilities under their control.</li> <li>ix. Facilitates the establishment of an efficient and effective referral system.</li> <li>x. Ensures the regulation of occupational, environmental safety and implementation of public health laws.</li> <li>xi. Litigation related to district level.</li> <li>xii. All contracts/service delivery agreement and PPP arrangements will be the domain of the Provincial Govt.</li> <li>xiii. The procurement of Equipment and medicines will be done at district level based on the provincial rate contract finalized by DGHS office.</li> </ul>
12	<b>Population Welfare</b>	<ul style="list-style-type: none"> <li>i. Collection, compilation, analysis and publication of demographic statistics of the district and estimation of district population with trends and future projections</li> <li>ii. Mainstreaming population factor in development</li> </ul>

Sr#	District Office	Operational Components & Business
		<p>planning process at district level</p> <p>iii. Provision of family welfare services including family planning and general medical care</p> <p>iv. Information, education and communication services in population welfare sector.</p> <p>v. Forecasting, placement of demand and storage of provision of contraceptives to SDUs and stakeholders</p> <p>vi. Planning and development initiatives for the population welfare program in the district</p> <p>vii. Promotion of population planning activities through:</p> <p>viii. Public sector institutions</p> <p>ix. Social marketing of contraceptives</p> <p>x. Non-Governmental Organization, registered medical practitioners, Hakims and homeopaths; and</p> <p>xi. Public private sector organization (PPSO)</p> <p>xii. Promotion of population welfare motivational services by establishing contact with the clients at levels within the district</p>

Sr#	District Office	Operational Components & Business
		<p>xiii. Establishment/promotion of family health services, clinical and non-clinical contraception through family welfare centers and those reproductive health services establishments located in the district/tehsil hospitals and particularly provision of service for rural areas</p> <p>xiv. Supply of contraceptives and medicines to the desirous clients in urban and rural areas of the district through SDUs and agencies involved in the program</p> <p>xv. Implementation of publicity and communication strategy through local electronic and print media as well as inter personal communication (IPC)</p> <p>xvi. Promotion of community involvement and their active participation in population welfare program activities for adoption of small family norms</p> <p>xvii. Coordination of population welfare program activities with other Government departments and district and sub district level</p> <p>xviii. Setting up of population welfare committees at village,</p>

Sr#	District Office	Operational Components & Business
		<p>tehsil and district level for promotion of family planning activities in their respective jurisdiction</p> <p>xix. Monitoring and Evaluation of the population welfare program at district level</p> <p>xx. Any other activity of the population welfare program that the District Government may specify.</p>
13	<b>Local Government and Rural Development</b>	<p>i. Providing secretarial support to the Council</p> <p>ii. Matters relating to Local Government Commission</p> <p>iii. Matters relating to local taxes and local rate</p> <p>iv. Coordination and supervision of village and neighborhood councils</p> <p>v. Grants, establishment and budget of village and neighborhood councils</p> <p>vi. Coordination of activities relating to local council elections, population census and surveys in the district</p> <p>vii. Rural Development Works including water supply, rural access roads, embankment and drainage works</p> <p>viii. Overseeing registration of births,</p>

Sr#	District Office	Operational Components & Business
		<p>deaths and marriages in village and neighborhood councils</p> <p>ix. Working as interface for knowledge management and communication on local governance issues in the district</p> <p>x. Review, evaluation and assessment of local government system, processes and procedures in the district particularly at the village and neighborhood level</p> <p>xi. Collection, compilation and dissemination of primary data</p> <p>xii. Training and research in the areas of local governance</p> <p>xiii. Reception of national and international dignitaries</p> <p>xiv. Working as Secretariat for the District Development Advisory Committee (DDAC)</p> <p>xv. Management and development of parks, green belts, open spaces</p> <p>xvi. Regulation of outdoor advertisement where assigned;</p> <p>xvii. Matters relating to Katchi Abadies</p>
14	<b>Communication and Works</b>	<p><b>District Roads and Buildings</b></p> <p>i. Administration of roads, bridges and boat bridges, assigned to</p>

Sr#	District Office	Operational Components & Business
		<p>District Govt., toll collection, rent of use of Right of way and leases of land for approaches and access roads to filling and service stations.</p> <p>ii. Deposit work on behalf of other agencies, Govt. and Federal Govt.</p> <p>iii. Planning, designing, construction, maintenance and repair of Govt. buildings assigned to District Govt.</p> <p>iv. Evaluation and fixation of rent of Govt. buildings assigned to District Govt.</p> <p>v. Water supply and sanitary work of Govt. buildings and estates assigned to District Govt.</p> <p>vi. Planning and designing of roads and allied works financed from district funds or grants.</p> <p>vii. Preparation of architectural plans and drawings of Govt. buildings assigned to District Govt.</p> <p>viii. Sponsoring, construction, maintenance, repair and improvement of roads, bridges, culverts, causeway, boat bridges, motorized launches and ancillary bridges assigned to District Govt. financed from District Govt. and Federal Govt. funds or grants.</p>

Sr#	District Office	Operational Components & Business
		<ul style="list-style-type: none"> <li data-bbox="474 248 906 378">ix. Preparation of asset management plan for the roads and buildings under the management charge of District Govt.</li> <li data-bbox="474 394 891 524">x. Master planning for sequencing development to cater for building needs of District Offices</li> <li data-bbox="474 540 888 638">xi. Improving road safety, roads designs and specifications of roads assigned to District Govt.</li> <li data-bbox="474 654 875 751">xii. Training and refresher courses for human resource development.</li> <li data-bbox="474 768 891 963">xiii. Planning, designing, construction, maintenance, annual/special repair of all offices and residential buildings in the management charge of District Govt.</li> <li data-bbox="474 979 881 1076">xiv. Management and development of parks, green belts, open spaces.</li> <li data-bbox="474 1092 875 1141">xv. Regulation of outdoor advertisement where assigned.</li> </ul>
15	<b>Public Health Engineering</b>	<ul style="list-style-type: none"> <li data-bbox="500 1174 909 1336">i. Master planning for water supply &amp; sanitation projects including Sewage Treatment and Solid Waste Management.</li> <li data-bbox="500 1352 909 1409">ii. Planning and designing of water supply &amp; sanitation</li> </ul>



Sr#	District Office	Operational Components & Business
		<p>projects including Sewage Treatment and Solid Waste Management.</p> <p>iii. Construction and maintenance of Rural Drinking Water Supply and Sanitation Schemes including Sewage Treatment Plants and Solid Waste Management.</p> <p>iv. Execution of PHE works on behalf of other agencies/departments as Deposit Works.</p> <p>v. Water Quality Monitoring/Mapping including maintenance of water quality data base.</p> <p>vi. Public Health Engineering works pertaining to government buildings and Government Residential Estates under the control of District Government.</p> <p>vii. Determination of rates of supply to consumers in bulk and otherwise and prescribed tariff (only in the case of private/public undertakings).</p> <p>viii. Levy and collection of fees, etc. for supply of water for drinking purposes.</p> <p>ix. Levy and collection of fees,</p>

Sr#	District Office	Operational Components & Business
		etc. for provision of Sanitation services including Sewage Treatment and Solid Waste Management.
<b>ADDITIONAL DISTRICT OFFICES IN CITY DISTRICT</b>		
16	<b>Public Transport</b>	i) Public transportation and mass transit ii) Passenger and freight transit terminals. iii) Traffic planning, engineering and parking. iv) Traffic controlling. v) Collection, compilation and dissemination of primary data segregated by gender;
17	<b>Enterprise and Investment Promotion</b>	i) Industrial estates and technological parks ii) Cottage, small and medium sized enterprise promotion iii) Investment promotion and protection iv) Collection, compilation and dissemination of primary data v) Small and Medium Enterprises (SMEs).
18	<b>Municipal Services Office</b>	i) Water source development, management, storage,

Sr#	District Office	Operational Components & Business
		<p>treatment plants, and macro-distribution.</p> <p>ii) Tertiary and secondary sewage network and treatment plants.</p> <p>iii) Flood control, storm water drainage and contingency plans.</p> <p>iv) Solid waste management, recycling and treatment plants.</p> <p>v) Safe disposal of industrial and hospital hazardous and toxic waste.</p> <p>vi) Environmental protection and control of pollution.</p> <p>vii) Master planning, land use, zoning and classification, reclassification, urban design and urban renewal, building rules and planning standards.</p> <p>i) Parks, forests, play grounds, sporting, and other recreational facilities</p> <p>ii) Museums, art galleries, libraries, community and cultural centers.</p> <p>iii) Conservation of historical and cultural assets</p> <p>iv) Landscape, monuments, and municipal ornamentation.</p>

Sr#	District Office	Operational Components & Business
		<p>v) Regional markets and city-wide commercial centers.</p> <p>vi) Collection, compilation and dissemination of primary data segregated by gender;</p>

**Secretary**  
**Government of Khyber Pakhtunkhwa**  
**Local Government, Elections & Rural**  
**Development Department**

**TEHSIL AND  
TOWN MUNICIPAL  
ADMINISTRATION  
RULES OF BUSINESS  
2015**



**GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
LOCAL GOVERNMENT, ELECTIONS AND  
RURAL DEVELOPMENT DEPARTMENT**



**NOTIFICATION**

*Peshawar, dated the November 3, 2015*

**NO.SO(Dir)ROB/LGE&RDD/2015:-**In exercise of the powers conferred by section 112 of the Khyber Pakhtunkhwa Local Government Act, 2013 (Khyber Pakhtunkhwa Act No. XXVIII of 2013), the Government of Khyber Pakhtunkhwa is pleased to make the following Rules, namely;

**THE KHYBER PAKHTUNKHWA  
TEHSIL AND TOWN MUNICIPAL  
ADMINISTRATION  
RULES OF BUSINESS, 2015**

## **PART-I**

### **GENERAL**

#### **1. Short title and commencement.-**

- (1) These rules may be called the Khyber Pakhtunkhwa Tehsil Municipal Administration and Town Municipal Administration Rules of Business, 2015.
- (2) They shall come into force at once.

#### **2. Definitions:**

- (1) In these rules, unless the context otherwise requires, the following expressions shall have the meaning hereby respectively assigned to them, that is to say,
  - a) “Act” means the Khyber Pakhtunkhwa Local Government Act, 2013 (Khyber Pakhtunkhwa Act No. XXVIII of 2013);
  - b) “business” means all work done by the Tehsil or Town Municipal Administration in pursuance of the provisions of the Act;
  - c) “bye-laws” mean the bye-laws made by the Council under section 113 of the Act;



- d) “case” means a particular matter under consideration and includes all papers relating to it and necessary to enable the matter to be disposed of, viz., correspondence and notes and also any previous papers on the subject or subjects covered by it or connected therewith;
- e) “Chief Officer” means an officer in-charge of the designated Urban Unit of the concerned Tehsil or Town Municipal Administration responsible for operation and maintenance of municipal services under the control of Tehsil or Town Municipal Officer;
- f) "Council" means Tehsil Council or Town Council as the case may be;
- g) “district government” means the district government as provided in section 11 of the Act;
- h) “Executive Authority” means the executive authority vested in the Nazim;
- i) “municipal services” include water supply, sanitation, conservancy, removal and disposal of sullage, refuse, garbage, sewer or storm water, solid or liquid

waste, drainage, public toilets, express ways bridges, flyovers, public roads, streets, foot paths, traffic signals, pavements and lighting thereof, public parks, gardens, arboriculture, landscaping, bill boards, hoardings, fire fighting, land use control, zoning, master planning, classification declassification or reclassification of commercial or residential areas, markets, housing, Urban or Rural infrastructure, environment and construction, maintenance or development thereof and enforcement of any law or rule relating thereto.

- j) "Nazim" means Nazim of the Council;
- k) "Naib-Nazim" means the Naib Nazim of the Council;
- l) "Schedule" means a schedule appended to these rules; and
- m) "Standing Committee" means a Standing Committee elected under section 25(f) of the Act.

(2) Any word or expression used but not defined in

these rules shall have the same meaning as provided in the Act or, rules made under the Act.

### **3. Allocation of Business.-**

(1) The Tehsil Municipal Administration Office or the Town Municipal Office shall consist of such offices, sub-offices as well as such other Units that are located within its jurisdiction. It shall include the offices and sub offices of the municipal committees, or as the case may be, town committees established under Khyber Pakhtunkhwa Local Government Act, 2012 (Khyber Pakhtunkhwa Act No. VIII of 2012).

(2) Business shall be allocated to various sub-offices as shown in the Schedule:

Provided that the functions assigned to the City District Government through notification by the Government shall stand deleted from the business allocated to the Town Municipal Administration falling within the area of that City District Government:

Provided further that the functions allocated in the Schedule shall include functions relating to planning, development, budgeting,

maintenance of accounts, procurement of goods and services as well as service matters except those excluded through special or general order of the Government.

(3) In addition to the relevant provisions provided in the Act or these rules, as the case may be, the Tehsil or Town Municipal Administration shall have the following functional jurisdiction for the purpose of development investment as provided in the Planning and Development Guidelines for local governments:

- i. The water and sanitation services of Tehsil Municipal Administration at Divisional / Districts, shall rest with the concerned Water and Sanitation Services Company as per Government directives
- ii. Improvement in municipal service delivery
- iii. Construction and maintenance of water supply and sanitation projects, construction of tehsil level infrastructure, footpaths, tracks, street, pavement, culverts, bridges, public buildings and construction / maintenance of drains

- iv. Construction and improvement of playgrounds, graveyard, funeral places, eid gah, parks, public open spaces, community centers
- v. Organization of sports , cultural and recreational activities
- vi. Regulating grazing area, establish cattle ponds and protection against stray animals and animal trespass
- vii. Land use zoning and planning
- viii. Building Control
- ix. Tehsil Roads
- x. Establishment of solid waste dumping ground for collection and management of solid waste from all Village / Neighborhood Councils, situated in the jurisdiction of each Town Municipal Administration
- xi. Electrification
- xii. Solarization

#### **4. Organization and Working of Tehsil or Town Offices:**

- (1) Each Tehsil or Town Office as the case may be, shall consist of a Tehsil or Town

Municipal Officer, Municipal Officers and such other officials of the local council service as the Government may determine.

- (2) The Tehsil or Town Municipal Officer, shall, by means of a standing order and with the approval of the Nazim, distribute the work among the offices, branches and sections of each Tehsil or Town Office.
- (3) The duty lists of all the officials in Tehsil or Town Municipal Administration shall be prepared and compiled in the form of a booklet by Tehsil or Town Municipal Officer for ready reference.
- (4) The duty lists shall be reviewed by the Tehsil or Town Municipal Officer and the Municipal Officers on yearly basis for identifying redundant posts in the office concerned and issue such revised lists with the approval of the Nazim.
- (5) The Tehsil or Town Municipal Officer, on the basis of the review carried out under sub-rule (4), may recommend reduction of posts or otherwise in the annual budget of his office.
- (6) If in the opinion of the Tehsil and Town Municipal Officer or Municipal Officer, as

the case may be, new posts are required in the office under his jurisdiction, he shall submit a detailed justification for creation of such new posts along with the budget proposal to the Council, the Council shall submit their recommendation through the Nazim to the Government through Local Council Board.

Provided the recommendation shall not be binding upon the government.

- (7) The Tehsil or Town Municipal Officer shall supervise the work assigned to the offices, branches and sections under his control.
- (8) The Tehsil Council shall ensure transfer of funds to the Water and Sanitation Services Companies (WSSCs) in the Divisional Headquarters proportionate to the areas of its jurisdiction in a tehsil

## **5. Functions and Powers of the Nazim.-**

- (1) The Nazim shall be the executive head of Tehsil or Town Municipal Administration and shall perform such functions and exercise such powers as have been assigned to him under the Act.
- (2) Tehsil Nazim shall be the approving

authority for expenditure within prescribed sphere of responsibilities however, he shall not be the co-signatory of the cheques with the Tehsil Municipal Officers;

- (3) In the case of any disciplinary action against employees belonging to the Provincial Unified Group of Functionaries (PUGF), the Nazim, as the case may be, shall take up the matter with the Government, through Local Council Board, for initiating action in accordance with the provisions of the relevant Efficiency and Discipline Rules on the subject. The Nazim shall be informed of the final outcome within thirty days by the Government.
- (4) In matters of policy and important decisions, the Tehsil or Town Municipal Officer shall obtain approval of Nazim before communicating such matters and decisions to the district government and Government.
- (5) The Nazim may call for:-
  - a) any case or information from any Municipal Officer or, as the case may be, Tehsil or Town Municipal Officer of the respective Tehsil or Town;
  - b) reports, regarding the performance of



functionaries of Government offices located in the Tehsil or Town, for the purposes of section 22 (a) of the Act.

- c) monitor the performance of functionaries of government offices located in the Tehsil and Town as the case may, and send such performance reports to the district government or the Government for consideration and action.
- (6) Nazim Tehsil or Town Council shall be a non-voting co-opted member of District Development Advisory Committee of their respective district to avoid duplication and overlapping of development schemes.

## **6. Powers and functions of the Naib Nazim.-**

- (1) The Naib Nazim shall have the following functions and powers with regard to Council meetings;
  - (a) Preside over the Council meeting as and when convened by the Nazim.
  - (b) The Naib-Nazim shall:
    - (i) call the sitting to order;
    - (ii) preserve order and decorum;

- (iii) have all powers necessary for the purpose of enforcing his decisions in the Council;
- (iv) in case of disturbance or disorder in the galleries, have the power to cause them to be cleared;
- (v) decide all points of order;
- (vi) supervise the elections of the Standing and other Committees of the Council;
- (vii) act as Nazim in case of situation warranted by the provision of Section 59(3) of the Act;
- (viii) have the powers to withdraw his consent already communicated for the presentation of a privilege motion, an adjournment motion or a resolution if some fresh material is furnished to him on account of which he is satisfied that the withdrawal of the consent already granted was necessary to be revoked;
- (ix) as soon as may be, after the commencement of every session,

nominate, from among the members a panel of not more than two chairmen, any one of whom may preside at a meeting of the Council in the absence of the Naib Nazim, when so requested by the Naib Nazim: Provided that where no such request has been made by the Naib Nazim, any one of them may preside in the order in which their names appear in the panel.

Provided that If at any time at a sitting of the Council neither the Naib Nazim nor any member of the panel of chairmen is present, the Council shall, if there is a quorum, by motion elect one of its member present to preside and act as Naib Nazim and for this purpose the secretary shall hold the election by show of hand.

Provided further that the member competent to preside over a sitting of the Council shall, have the same powers as the Naib Nazim and all references to the Naib Nazim in the rules and bye-laws shall in that case be deemed to be references to any such person so presiding.

## **7. Posting and transfer of officers in Tehsil or Town Municipal Administration:**

The transfers and posting of officers & officials (Local Council Services of Provincial Unified Group of Functionaries (LCS-PUGF)) in Tehsil or Town Municipal Administration shall be regulated by the Government transfer and posting policy for the time being in force as per following table:-

<i>S#</i>	<i>Officers</i>	<i>Authority</i>
<i>1</i>	<i>Posting of Tehsil Municipal Officer (PUGF Cadre)</i>	<i>Local Government &amp;RDD</i>
<i>2</i>	<i>Posting of Tehsil Officers, Regulation, Finance and Infrastructure and Chief Officers Urban Unit (PUGF Cadre)</i>	<i>Local Government &amp;RDD</i>
<i>3</i>	<i>Other officers &amp; Officials (Non PUGF) posted at Tehsil Municipal Administration</i>	<i>Tehsil Municipal Officer as per rules and regulations.</i>

## **8. Powers and Functions of Tehsil or Town Municipal Officer:**

- (1) The Tehsil Municipal Officer shall be responsible to:
  - a) redress public complaints relating to Tehsil or Town Municipal Administration;
  - b) liaise with the Local Government Commission, through the Council, for resolution of disputes relating to Tehsil or Town Municipal Administration;
  - c) ensure that the business of the Tehsil or Town Municipal Administration is carried out in accordance with section 22 of the Act and any other law relating to municipal services for the time being enforced;
  - d) ensure that the human and material resources placed at his disposal are optimally utilized to improve governance;
  - e) obtain approval of the Nazim in matters of policy and important decisions and before communicating such matters and decisions to the Government.

- f) assist the Nazim in performance of his functions and formulation of policy of the Tehsil Municipal Administration.
- g) act as the Secretary of the Council to coordinate matters relating to secretarial functions of the Council.
- h) co-ordinate the municipal activities of the Tehsil or Town Municipal Administration within the Tehsil or Town for coherent planning and development of municipal infrastructure and for effective and efficient functioning of the Tehsil or Town Municipal Administration;
- i) co-ordinate the activities of all Municipal Officers and shall be responsible for execution of sanctioned policy relating to the Tehsil or Town Municipal Administration;
- j) oversee implementation of programs, including district, provincial, federal government programs and foreign funded projects as per policy guidelines of the Government;
- k) prepare periodical reports including reports on implementation of

development plans for presentation in the Council;

- l) provide information required by the Council for the performance of their functions;
  - m) issue standing orders specifying the cases or class of cases which may be disposed of by an officer subordinate to him;
  - n) have the powers to call for any case or information from any Municipal Officer under his supervision;
  - o) refer the case to the Government for decision, where the Nazim's orders appear to involve a departure from rules, regulations or Government policy; and
  - p) act as Principal Accounting Officer of the Tehsil or Town Municipal Administration and be responsible to the Accounts Committee of the Council and Public Accounts Committee of the Provincial Assembly.
- (2) While submitting a case for the orders of the Nazim, it shall be duty of the Tehsil or Town Municipal Officer to suggest a definite line of action.

## **9. Duties and functions of Municipal Officers.-**

A Municipal Officer, shall:-

- a) act as the focal person for the sub-office of the Tehsil or Town Municipal Administration placed under his charge and duly execute the sanctioned policy;
- b) exercise supervision over programmes, projects, services and activities of the sub-office under his control;
- c) assist the Tehsil or Town Municipal Officer, as the case may be in formulation of policy and bring the cases to the notice of the Tehsil or Town Municipal Officer which are required to be submitted to the Tehsil or Town, as the case may be;
- d) submit all proposals for taxation, quote the rules and bye-laws, to the Council through the Tehsil or Town Municipal Officer and Nazim; provided the taxation proposals shall be scrutinized by the Tehsil or Town Officer (Regulation) before submission to Tehsil or Town Municipal Officer, Nazim and Council, as the case may be;
- e) be responsible to the Tehsil or Town Municipal Officer for the proper conduct of the business of the Tehsil or Town Office;



- f) subject to any general or special order of Government in this behalf, issue standing orders specifying the cases or classes of cases, which may be disposed of by an officer subordinate to the Municipal Officer; and
- g) be responsible for the careful observance of rules in Tehsil or Town Offices under his control.

#### **10. Servants of the Local Council.-**

The servants of the Local Council within the Tehsil or Town shall be governed by the same terms & conditions and rules under which they were originally appointed, unless the rules are amended or altered by the Government.

#### **11. General Procedure for Disposal of Business. ---**

- (1) The Tehsil or Town Municipal Officer shall circulate instructions about the manner of disposal of the business of the Tehsil or Town Municipal Administration.
- (2) If any doubt or dispute arises as to which Municipal Officer a case pertains, the matter shall be referred to the Tehsil or Town Municipal Officer, who shall obtain orders of Nazim, if necessary, and the orders thus

passed shall be final.

- (3) All orders shall be in writing; however, in case of a verbal order, the officer receiving the order shall reduce it to writing and submit it to the authority making the order for confirmation, at an earliest opportunity thereafter for confirmation.
- (4) If an order is in contravention of any law, rules, regulations or Government policy, the subordinate authority next below the authority making such order shall point it out to the authority and if the latter does not agree, it shall refer the case to the next higher authority for appropriate decision.
- (5) Failure to comply with sub-rules (3) and (4) shall constitute a ground for disciplinary proceedings.

## **12. Orders, Instruments, Contracts and Litigation.-**

- (1) All executive actions of the Tehsil or Town Municipal Administration shall be expressed to be taken in the name of Tehsil or Town Municipal Administration and shall be executed by the Nazim or an officer duly authorized by him for this purpose.

- (2) Save in cases where another officer has been specifically empowered by the Nazim to sign an order or instrument on behalf of Tehsil or Town Municipal Administration, every order or instrument shall be signed by the Nazim, and such signature shall be deemed to be proper authentication of such order or instrument.
- (3) The Tehsil or Town Municipal Administration may sue and be sued in its name through the Tehsil or Town Municipal Officer.

### **13. Executive Committee.-**

- (1) The Nazim shall constitute an Executive Committee in each Town or Tehsil as the case may be, with the Tehsil or Town Municipal Officer as its Chairman and all Municipal Officers its members to:
  - a. deal with administrative, financial or public policy matters of two or more sub-offices;
  - b. facilitate coordination among the sub-offices of the Tehsil or Town Municipal Administration,
  - c. provide avenue for the consideration of matters of common interest;

- d. tender advice in any case that may be referred to the Council or the Nazim.
- (2) A Tehsil or Town Officer or a Chief Officer, who wants a particular matter to be discussed in the Executive Committee meeting, shall apprise the Tehsil or Town Municipal Officer of his intention of doing so and forward ten copies of a brief note on the subject which would form the basis of discussion.
- (3) The Tehsil or Town Municipal Officer shall issue notice of the meeting together with the agenda, well in advance of the meeting provided that urgent items may be considered at short notice.
- (4) Minutes of the meeting shall be recorded by an officer nominated by the Tehsil or Town Municipal Officer, who shall attend the meeting for the purpose and circulate such minutes after approval by the Tehsil or Town Municipal Officer.

#### **14. Processing and disposal of official business.-**

- (1) All official business and cases submitted to any officer in the Tehsil Municipal Administration shall be processed and disposed of efficiently.

- (2) No case shall be kept pending for more than three working days by an officer. If processing of a case requires more time, the immediate superior shall be informed. A report of the pending cases in an office shall be prepared at the end of every month and submitted to the Tehsil or Town Municipal Officer. Reasons for delay in the disposal of such cases shall be recorded.

#### **15. Administrative and Financial Powers.-**

The administrative and financial powers shall be exercised by concerned officers as per rules and delegation of powers. No senior officer of the Tehsil or Town Municipal Administration shall exercise the powers specifically delegated to a junior officer. If a situation requires the exercise of such authority by a senior officer, he shall record the reasons for exercising the authority and submit the case to the Nazim for information.

#### **16. Periodical report of activities of offices.-**

There shall be prepared regular periodic reports of the activities of each sub-office by each Municipal Officer to be submitted to Nazim through Tehsil Municipal Officer.

**17. Information to be supplied to a Standing Committee.-**

Any information required by the Chairperson or a member of a Standing Committee shall be requisitioned from the Tehsil or Town Municipal Officer or in his absence, the next senior Municipal Officer.

**18. Action on the reports of the Standing Committees.-**

- (1) The reports of the Standing Committees regarding Tehsil or Town Municipal Administration shall be examined by the Tehsil or Town Municipal Officer and a summary shall be submitted to the Nazim for suggesting a line of action in the matter.
- (2) The Nazim shall inform the Council about the action taken by him on the reports of the Standing Committee.

**19. Inspections by the Provincial Local Government Commission.-**

- (1) The Tehsil or Town Municipal Administration shall extend all the necessary support to the Inspection Teams deputed by the Local Government Commission while

conducting annual and special inspections of the Tehsil or Town Municipal Administration.

- (2) The offices of the Tehsil or Town Municipal Administration shall provide all the necessary assistance and relevant documents to the Commission promptly under intimation to the Nazim.

## **20. Inspection by the Tehsil or Town Municipal Officer.-**

The Tehsil or Town Municipal Officer shall inspect the working of offices in Tehsil or Town Municipal Administration once every three months. He shall pay special attention to:

- a) compliance with the rules, standing instructions, orders and office directives;
- b) general office management;
- c) proper use and care of property, equipment and stationery etc. under the control of an office.
- d) submit a report of such inspections to the Nazim indicating steps taken or required to be taken for corrective measures.

## **PART-II**

### **REFERENCE TO THE NAZIM**

#### **21. Reference to the Nazim. ---**

- (1) No order shall be issued without the approval of the Nazim in the following cases:
- a) involving important policy matters or departure from policy of the Tehsil Municipal Administration;
  - b) involving proposals for the levy of new taxes and making or withdrawal of bye-laws;
  - c) regarding resource position and budget proposals before presentation of the budget and financial statements to the Council;
  - d) involving vital social, political, economic and administrative policies of the Tehsil or Town Municipal Administration;
  - e) for requisition of meetings of the Council except meetings requisitioned for consideration of no confidence motion against him;



- f) involving annual reports on the working and performance of Tehsil or Town Municipal Administration for submission to the Government;
  - g) requiring important reports and documents to be laid before the Council;
  - h) where Nazim has issued general or special order for submission to him.
- (2) With respect to a case mentioned in sub-rule (1), the Tehsil or Town Municipal Officer shall initiate a self contained note titled as “Note for the Nazim”, with specific recommendations and submit the case to the Nazim with appropriate advice.
- (3) The Note containing orders of the Nazim shall be returned to the initiating officer through Tehsil Municipal Officer.
- (4) Notwithstanding the provisions of sub-rule (1), the Nazim may, in cases of urgency or other exceptional circumstances, give directions as to the manner of disposal of a case, without prior reference to him and the cases so disposed of shall be reported to the Nazim at an earliest opportunity thereafter for confirmation.

**Explanation:** For the purpose of urgency or exceptional circumstances means a situation where the routine administrative procedure is either not feasible or causes delay in timely response to the situation.

- (5) The Tehsil or Town Municipal Officer shall keep the Nazim generally informed of all matters affecting public order in the tehsil and cases having major political implications.

## **PART-III**

### **PROCEDURE FOR CONSULTATION**

#### **22. Consultation among sub-offices.-**

(1) When the subject of a case concerns more than one sub-office -

a) the Municipal Officer concerned shall be responsible for consulting the other offices; and

b) no orders shall be issued nor shall the case be submitted to the Nazim, until it has been considered by all the sub-offices concerned:

Provided that in cases of urgency, and with the approval of the Nazim, this requirement may be dispensed with, but the case shall, at the earliest opportunity, thereafter be brought to the notice of the other sub-office concerned in writing.

(2) When a case is referred by one sub-office to another sub-office for consultation, all relevant facts and the points necessitating the reference shall be clearly brought out.

(3) A Municipal Officer may ask through Tehsil

or Town Municipal Officer to see a case of another sub-office, if it is required for the disposal of a case pending in his office.

- (4) The Tehsil or Town Municipal Officer may ask to see a case of any office involving important policy question.
- (5) In the event of difference of opinion amongst the sub-offices, the Tehsil or Town Municipal Officer or the Municipal Officer primarily concerned shall refer the case to the Executive Committee constituted under Rule 12.
- (6) In case a Municipal Officer has submitted a case directly to the Nazim for any cogent reason, the Nazim shall after recording his decision return the case through the Tehsil or Town Municipal Officer. In case the Tehsil or Town Municipal Officer considers that the proposal of the Municipal Officer or the decision of the Nazim is against the policy of the Government or is contrary to the laws or rules for the time being enforce, he shall refer the case to the Government for decision.

### **23. Consultation with Tehsil or Town Finance Office.**

No Tehsil or Town Office or sub-office shall, without previous consultation with Tehsil or Town Finance Office, authorize any orders other than orders in pursuance of any general or special delegation made with approval of the Council, which directly or indirectly affect the finances of the Tehsil or Town, or which, in particular, involve:

- a) relinquishment, remission or assignment of revenue relating to local funds, actual or potential, or furnish a guarantee against it, or grant of all kind of leases.
- b) expenditure for which no provision exists;
- c) a change in the number or nomenclature or basic scale of a post or in the terms and conditions of service of the non-PUGF servants or their statutory rights and privileges which have financial implications;
- d) levy of taxes, duties or fee as defined in the Act;
- e) re-appropriation within the budget grants;
- f) alteration in financial procedure or in the

method of compilation of accounts or of the budget estimates; or

- g) interpretation of financial rules and bye-laws.

## **PART-IV**

### **BYE - LAWS**

#### **24. Making and Amendments of Bye-Laws.-**

- (1) The Tehsil Municipal Officer shall be responsible for determining the contents of bye-laws proposed for the Tehsil Municipal Administration and for obtaining approval of the Nazim to process a case for submission to the Council.
- (2) While according approval to the proposal, the Nazim shall also indicate as to which of the following motions should be made in the Council:
  - a) the draft should be taken into consideration at once; or
  - b) it should be taken up at a specified date in future; or
  - c) it should be referred to respective Standing Committee of the Council; or
  - d) it should be circulated for purposes of eliciting public opinion thereon.
- (3) On receipt of approval indicated in sub-rule (2), the Tehsil Municipal Officer shall send a

memorandum to the Nazim, including a statement detailing the factors necessitating the bye-laws, the objects of the proposal and a draft of the bye-laws, for inclusion in the official business of the Council.

- (4) The Tehsil Municipal Officer shall thereafter prepare a brief for the use of the Nazim at the time of introducing the draft bye-laws in the Council



## **PART-V**

### **COUNCIL BUSINESS**

#### **25. Bye-Laws on Conduct of Business in the Council. ---**

- (1) The officers of the Tehsil Municipal Administration, in the conduct of Council business, shall comply with the bye-laws governing the conduct of business in the Council.

#### **26. Meetings of the Council. ---**

- (1) Secretary of the Council shall obtain orders of the Nazim for convening a session of the Council in accordance with the bye-laws on the conduct of business and conduct of meetings of the Council and take further action on such orders.
- (2) All officers of the Tehsil Municipal Administration shall keep under review the official business intended to be brought before the Council and shall, not later than three days before the commencement of the session, forward to the Secretary of the Council a detailed list of such business.

- (3) The Secretary of the Council shall prepare a provisional forecast of the official business to be brought before the Council and shall make appropriate proposal to the Nazim for the allotment of time for the transaction of such business.

## **27. Termination of the Session. ---**

- (1) The Secretary of the Council shall, at an appropriate time, obtain orders of the Nazim, for termination of the session of the Council on conclusion of business.

## **28. General Provisions regarding Council Business. ---**

- (1) The Tehsil Municipal Officer shall be the focal person for liaison and smooth conduct of business in the Council.
- (2) The concerned sub-office(s) of the Tehsil Municipal Office shall take prompt action on receipt of copies of the resolutions, motions, questions, call attention notices and other business to be brought before the Council.
- (3) In case a resolution, motion, question, call attention notice or any other communication has wrongly been addressed to a sub-office of

the Tehsil Municipal Office, the latter shall promptly transfer it to the concerned sub-office under intimation to the Secretary of the Council.

- (4) As soon as any communication is received from the Secretary of the Council or any sub-office regarding the business of the Council, the person receiving the communication shall at once bring it to the notice of the focal person/Municipal Officer in charge of the sub-office.

## **29. Resolutions and Motions. ---**

- (1) When an official resolution or motion is to be moved in the Council, the concerned officer shall forward it together with a formal notice duly signed by the Nazim to the Secretary of the Council.
- (2) On receipt of a non-official resolution or motion from the Secretary of the Council, the concerned Officer shall examine the communication and determine whether discussion of the resolution or motion, or any part of the same, would be detrimental to the public interest. If so, he should point it out, with reasons, in its comments and process it,

with a brief, for consideration and use of the Nazim.

- (3) On receipt of a resolution passed by the Council, the concerned officer shall immediately take appropriate necessary action and shall, within one month from the date of the receipt of the resolution, apprise the Secretary of the Council of the action taken on the resolution.

### **30. Questions. ---**

- (1) On receipt of each question (starred, un-starred or short notice), the concerned officer shall prepare an appropriate reply and, subject to approval of the Nazim, forward the required number of copies to Secretary of the Council in accordance with the bye-laws on conduct of business in the Council.
- (2) The concerned officer shall also prepare a brief for purposes of supplementary questions for use by the Nazim.

### **31. Call Attention Notices. ---**

On receipt of a Call Attention Notice the concerned officer shall prepare an appropriate reply and a brief for purposes of supplementary questions, for

use by the Nazim.

### **32. General Discussion. ---**

Whenever a day is fixed for general discussion on any issue, the concerned officer or representative of the sub-office shall remain present in the official gallery during the discussion for taking notes and preparation of a brief for use by the Nazim.

### **33. Budgets. ---**

- (1) The Secretary of the Council shall obtain approval of the Nazim for the date for presentation of the annual and supplementary budgets and communicate such orders for appropriate action in accordance with the Act.
- (2) On receipt of a motion proposing a cut in the demand or supplementary demand for grant of funds, the concerned officer shall examine the points raised in the motion, or any further points likely to be raised, and prepare a brief for the use of the Nazim.
- (3) Budgets shall be processed in the manner prescribed in the Local Government Budget Rules framed under the Local Government Act, 2013;

- (4) Development Projects shall be processed for the approval of District Development Committee as per procedure provided in the Local Government Planning and Development Rules, 2015 notified by the Planning and Development Department.

### **34. Undertakings and Assurances.-**

The concerned Officer shall be responsible for giving effect to any undertaking or assurance given by the Nazim in the Council.

## **PART-VI**

### **MISCELLANEOUS PROVISIONS**

#### **35. Protection and Communication of Official Information. ---**

- (1) A Government servant shall not communicate any information acquired directly or indirectly from official documents or otherwise to the Media, to non-officials, or to officials belonging to other Government offices, unless he has been, generally or specially, empowered or obligated to do so.
- (2) Ordinarily all official news and information shall be conveyed to the press through the Tehsil or Town Municipal Officer, or an official spokesman of the Tehsil or Town Municipal Administration nominated by the Nazim, in the manner prescribed generally or specially in each case.
- (3) The Tehsil or Town Municipal Officer shall circulate instructions about the treatment and custody of official documents and information of a confidential character.

#### **36. Channel of Correspondence. ---**

- (1) Correspondence with the District or City District Government or any other Tehsil or Town Municipal Administration in the district shall be conducted by the Tehsil or Town Municipal Officer and it shall be addressed to the Deputy Commissioner or the Tehsil or Town Municipal Officer, as the case may be.
- (2) The correspondence by the Tehsil Municipal Administration with the Government shall be routed through the Local Council Board.
- (3) All correspondence with the government of a foreign country or a Pakistan Diplomatic Mission abroad or a Foreign Mission in Pakistan or an International Organization shall normally be conducted through the Government:
- (4) Correspondence with the Village Council or Neighborhood Council of the same tehsil or town shall be conducted directly by the offices in respect of the subjects allocated to them and it shall ordinarily be addressed to the Nazim Village Council or, as the case may be, the Neighborhood Council concerned.
- (5) The Government shall issue policy



instructions from time to time to ensure effective coordination between the Sub-Divisional Administration and Tehsil Municipal Administration for better service delivery of municipal services.

### 37. Performance Evaluation Report:

The Reporting line for the Annual Performance Evaluation Reports of officers posted in the Tehsil or Town Municipal Administration shall be as under-

S#	Officers	Reporting Officer	1 <sup>st</sup> Counter-signing Officer	2 <sup>nd</sup> Counter-signing Officer
1	Tehsil or Town Municipal Officer (PUGF BPS 17 and above)	Deputy Commissioner	Secretary Local Council Board	Secretary Local Government & Rural Development
2	Tehsil or Town Officer Regulation, Finance and Infrastructure (PUGF BPS 17 & Above)	Tehsil or Town Municipal Officer	Deputy Commissioner	Secretary Local Council Board
3	Officers and Officials posted in TMA (PUGF BPS 16 & above)	Concerned Town or Tehsil Officer	Tehsil or Town Municipal Officer	Nazim Tehsil or Town Council

<b>S#</b>	<b>Officers</b>	<b>Reporting Officer</b>	<b>1<sup>st</sup> Counter-signing Officer</b>	<b>2<sup>nd</sup> Counter-signing Officer</b>
	below)			
4	Chief Officer Urban Unit	<i>Tehsil or Town Municipal Officer</i>	<i>Deputy Commissioner</i>	<i>Secretary Local Council Board</i>
5	Officers & Officials posted in TMA (Non PUGF PBS 5 and above)	<i>Concerned Tehsil Officer</i>	<i>Tehsil or Town Municipal Officer</i>	<i>Nazim Tehsil or Town Council</i>

**Note:** While writing the Performance Evaluation Report or Annual Confidential Report, as the case may be, the reporting officer, may give due consideration to the feedback provided by the Tehsil or Town Nazim concerned.

### **38. General. ---**

- (1) The business of the Tehsil or Town Municipal Administration shall be transacted in accordance with the channels of communication laid down in these rules and instructions of the government.
- (2) If oral discussions are held with the Nazim by an officer, he shall communicate the points made during the discussion to his immediate superior at the earliest.

- 39. Tenure and Process for the Lease and Contracts.-** The Council or the Tehsil or Town Municipal Administration shall be empowered for grant of lease or contracts or auction of its property rights and local own source revenue through open auction and subject to policy guidelines issued by the Government through Local Council Board. In case of long term lease or contracts, such cases shall be placed before a committee of the Council for framing recommendations for the approval of the Government, through Local Council Board.
- 40. Repeal. ---**The Khyber Pakhtunkhwa Tehsil or Town Municipal Administration (Rules of Business) 2001 are hereby repealed.

**SCHEDULE-I**  
**{SEE RULE 3 (2)}**

**DISTRIBUTION OF BUSINESS AMONG  
SUB OFFICES**

<b>Sub Office</b>	<b>Operational Components &amp; Business</b>
Municipal Regulation	<ol style="list-style-type: none"><li>1. Regulate markets and service;</li><li>2. Issue licenses, permits, grant permissions and impose penalties for violation thereof as and when applicable;</li><li>3. Management of municipal lands, estates, properties, facilities, assets and enterprises vested in the Tehsil or Town Municipal Administration;</li><li>4. Enforcement of all municipal laws, rules and byelaws governing the functioning of Tehsil or Town Municipal Administration;</li><li>5. Prevention of encroachments on public lands and places (Temporary tehbazari and encroachment)</li><li>6. Prosecute, sue and follow up criminal, civil and recovery proceedings against violators of municipal laws in the courts of competent jurisdiction;</li><li>7. Regulate affixing of signboards and Advertisements</li><li>8. Regularisation of Tenure of Kachi Abadis,</li></ol>

Sub Office	Operational Components & Business
	<p>Land including Rights of Way, Drains</p> <p>9. Organize sports, cultural, recreational events, fairs and shows.</p> <p>10. Organize cattle fairs and cattle markets;</p> <p>11. Propose taxes, cess, user fees, rates, rents, tolls, charges, fines and penalties under Part III of the Third Schedule of the Khyber Pakhtunkhwa Local Government Act, 2013 (Part IV for Town Municipal Administration) for approval of the Tehsil Council and notify the same after such approval;</p> <p>12. Collect approved taxes, cess, user fees, rates, rents, tolls, charges, penalties and fines;</p>
Planning, Infrastructure and Services	<p>1. Provision, management, operation, maintenance and improvement Services of the municipal infrastructure and services, including:</p> <p>a. Water supply and control and development of water resources, other than systems maintained by the Union and Village Councils;</p> <p>b. Storm water drainage;</p> <p>c. Sanitation and Solid Waste Management including solid waste collection and sanitary disposal of solid, liquid, industrial and hospital wastes;</p> <p>d. Roads and streets, other than roads falling under the jurisdiction of, and maintained by, the district government, or provincial government and streets maintained by the Neighborhood Council or Village Council;</p> <p>e. Traffic planning, engineering and</p>

Sub Office	Operational Components & Business
	<p>management including traffic signaling systems, signs on roads, street markings, parking places, transport stations, stops, stands and terminals;</p> <p>f. Street lighting;</p> <p>g. Disaster and Emergency Management including Firefighting.</p> <p>h. Maintenance and development of Parks, playgrounds, open spaces and arboriculture;</p> <p>i. Maintenance and development of Slaughter houses.</p> <p>2. Maintain a comprehensive database and information system on services in the tehsil municipal records and archives and provide public access to it on nominal charges.</p> <p>3. Execute and manage development plans;</p> <p>4. Prepare spatial plans for the tehsil or town in collaboration with District, Neighborhood and Village Councils including plans for land use, zoning and functions for which tehsil or town administration is responsible.</p> <p>5. Formulate strategies for infrastructure development, improvement in delivery of services and implementation of laws in collaboration with the relevant offices.</p> <p>6. Exercise control over land use, land sub-division, land development and zoning by public and private sectors for any purpose including agriculture, industry, commerce, markets, shopping and other employment centers, residential, recreation, parks, entertainment, passenger and transport freight</p>

Sub Office	Operational Components & Business
	<p>and transit stations;</p> <p>7. Building control;</p> <p>8. Develop and manage schemes including site development in collaboration with District Government and Neighborhood and Village Councils, national and international development partners.</p> <p>9. Maintain municipal records and archives.</p> <p>10. Any other development activity assigned</p>
Finance	<p>1. Prepare annual &amp; revised budget under the directions of Nazim;</p> <p>2. Management and control of local fund and revenues – vigilance, detection and prevention of revenue leakage and losses;</p> <p>3. Prepare financial statements and present them for internal and external audit in the manner as may be prescribed;</p> <p>4. Maintenance of public account(s) (cost accounting)</p> <p>5. Maintain a comprehensive financial database and information system for Tehsil or Town Municipal Administration and provide public access to it;</p> <p>6. Carry out regular surveys of the revenue base – current and potential - and develop periodic reports of financial analysis for the Council.</p>
Urban Unit	<p>I) operation and maintenance of municipal services under the control of Tehsil or Town Municipal Administration where applicable and provided by the Government;</p> <p>II) in charge of the sanitation functions</p>

Sub Office	Operational Components & Business
	III) water supply IV) fire-fighting , V) Recovery of municipal fees, rates, rents, taxes etc

**Secretary**  
**Government of Khyber Pakhtunkhwa**  
**Local Government, Elections & Rural**  
**Development Department**



**VILLAGE AND  
NEIGHBORHOOD  
COUNCILS  
RULES OF BUSINESS  
2015**



**GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
LOCAL GOVERNMENT, ELECTIONS AND  
RURAL DEVELOPMENT DEPARTMENT**



**NOTIFICATION**

*Peshawar, dated the November 3, 2015*

**No.** SO(Dir)ROB/LGE&RDD/2015:- In exercise of the powers conferred by section 112 of the Khyber Pakhtunkhwa Local Government Act, 2013 (Khyber Pakhtunkhwa Act No. XXVIII of 2013), the Government of Khyber Pakhtunkhwa is pleased to make the following Rules, namely;

**THE KHYBER PAKHTUNKHWA  
VILLAGE AND NEIGHBORHOOD  
COUNCILS RULES OF BUSINESS, 2015**

## **PART - I**

### **GENERAL**

#### **1. Short title and commencement.---**

- (1) These rules may be called the Khyber Pakhtunkhwa Village Council and Neighborhood Council Rules of Business, 2015.
- (2) They shall come into force at once.

#### **2. Definitions:**

- (1) In these rules, unless the context otherwise requires, the following expressions shall have the meaning hereby respectively assigned to them, that is to say,
  - a) “Act” means the Khyber Pakhtunkhwa Local Government Act, 2013 (Khyber Pakhtunkhwa Act No. XXVIII of 2013);
  - b) “business” means all work done by the Council in pursuance of the provisions of the Act.;
  - c) “bye-laws” mean the bye-laws made by Council under section 113 of the Act;
  - d) “case” means a particular matter under consideration and includes all papers

relating to it and necessary to enable the matter to be disposed of, viz., correspondence and notes and also any previous papers on the subject or subjects covered by it or connected therewith;

- e) "committee" means a committee constituted for the purposes of section 29 of the Act and includes a special committee appointed by the Council;
- f) "Council" means a Village Council or Neighborhood Council, as the case may be;
- g) "district government" means the district government constituted under section 11 of the Act;
- h) "Executive Authority" means authority vested in the Nazim;
- i) "municipal services" include water supply, sanitation, conservancy, removal and disposal of sullage, refuse, garbage, sewer or storm water, solid or liquid waste, drainage, public toilets, express ways bridges, public roads, streets, foot paths, traffic signals, pavements and lighting thereof, public parks, gardens,

arboriculture, landscaping, bill boards, hoardings, fire fighting, land use control, master planning, classification declassification or reclassification of commercial or residential areas, markets, housing, infrastructure, environment and construction, maintenance or development thereof and enforcement of any law or rule relating thereto.

- j) "Nazim" means the Nazim of the Council;
- k) "Naib-Nazim" means the Naib Nazim of the Council; and
- l) "Secretary" means the Secretary of the Council, duly appointed as such under the relevant rules.

- (2) Any word or expression used but not defined shall have the same meaning as given to them in the Act or, any rules made there under.

### **3. Business of the Council.-**

- (1) The business of the Council shall be disposed of by the Secretary of the Council.
- (2) The Secretary, under the supervision of the Nazim shall coordinate and facilitate in community development, functioning of the

Committees and delivery of such municipal services as provided in the Act.

- (3) In addition to the relevant provisions provided in the Act or these rules, as the case may be, the Village and Neighbourhood Council shall have the following functional jurisdiction for the purpose of development investment as provided in the Planning and Development Guidelines for local governments:
- i. Municipal Services including establishment of solid waste collection in each Village / Neighbourhood Councils.
  - ii. Improvement and maintenance of water supply and sanitation projects
  - iii. Maintenance of village level infrastructure, footpaths, tracks, street, pavement, culverts, bridges, public buildings and de-silting of canals -.
  - iv. Maintenance of playgrounds, graveyard, funeral places, eid gah, parks, public open spaces, community centers
  - v. Organization of sports , cultural and recreational activities

- vi. Regulating grazing area, establish cattle ponds and protection against stray animals and animal trespass.

#### **4. Transaction of business.--**

- (1) No important decision relating to the administration of the Council shall be taken without the approval of the Nazim. The Secretary shall be responsible for implementation of decisions of the Nazim.
- (2) Decisions taken by the Nazim under the provisions of the Act and these Rules shall not be varied, reversed or infringed without consulting him.
- (3) Where the orders of the Nazim appear to involve a departure from the provisions of the Act, rules, regulations or Government policy, the Secretary shall re-submit the case to the Nazim inviting his attention to the relevant laws, rules, regulations or Government policy. In case Nazim does not agree with the contention or legal opinion of the Secretary Council, the matter shall be referred to the Assistant Director LG&RDD of the district concerned who shall communicate appropriate guidance or clarification in the



light of Act and Rules or may refer to the government for appropriate order.

- (4) For the purpose of consolidation of accounts and ensuring financial discipline in the Village and Neighbourhood Councils, the Assistant Director shall act as Principal Accounts Officer for development budget and activities for their respective districts under the overall policy guidelines of the Government.

## **5. Establishment of the Office of the Council.-**

- (1) Every Council shall have an office, at a convenient place and location, for performance of its functions and duties, conduct meetings and disposal of official business as required under the Act.
- (2) In case of non-availability of government building, the concerned Assistant Director or authorised officer shall arrange suitable rented building for performance of functions as given in the Act.

## **6. Functions and Powers of Nazim.-**

- (1) The Nazim shall perform and exercise the

following functions and powers:-

- (a) provide leadership for council-wide development and preparation of budget;
- (b) organize management of municipal infrastructure with in the area of respective village council or neighbourhood council;
- (c) chair panels of members constituted for amicable settlement of disputes;
- (d) report to tehsil municipal administration and district government in respect of:
  - (i) encroachment on state and local government property;
  - (ii) violation of land use plans, building codes, rules and bye-laws;
  - (iii) sale and trade of dangerous and offensive articles;
  - (iv) adulteration of articles of food; and
  - (v) breach of public water courses with in the area of the village council or neighbourhood council.
- (e) prepare and send quarterly reports on the performance of functionaries of all offices located in the area including

education, health, public health engineering, agriculture, livestock, police and revenue to tehsil municipal administration and district government.

- (2) The Nazim, village council or the Nazim neighbourhood council, as the case may be, shall be responsible for any loss flowing from his decisions and directions in violation of this Act or any other law for the time being in force and for expenditures incurred without lawful authority.
- (3) The Nazim, neighbourhood council shall represent the council in the special units created under section 23 of this Act.
- (4) The Nazim shall send quarterly reports on the performance of functionaries of District and Tehsil or Town Municipal Administration offices located in the limits of the Councils as provided in Section 28 (e) of the Act;.
- (5) In matters of policy and important decisions, the Secretary shall obtain prior approval of Nazim before communicating such matters and decisions to the higher tier of local governments.
- (6) The Nazim may call for-

- a) any case or information from the Secretary or, as the case may be, functionary of the respective Council; and
  - b) reports, regarding the performance of functionaries of Government offices located in the Village or Neighborhood, for the purposes of section 29 (a) of the Act.
- (7) Nazim shall be the approving authority of expenditure within the prescribed sphere of responsibility and also the co-signatory of the cheques along with Secretary Village and Neighbourhood Councils

## **7. Functions of the Village Council or Neighbourhood Council**

- (1) The village council and neighbourhood council shall perform and exercise the following functions and powers, as the case may be, shall be to:
- (a) monitor the performance of functionaries of all government offices located in the area of the respective village council or neighbourhood council, including education, health,

public health engineering, agriculture, livestock, police and revenue, and hold them accountable by making inquiries and reports to the tehsil municipal administration, district government or, as the case may be, the Government for consideration and action;

- (b) provide effective forum for out of court amicable settlement of disputes and, for this purpose, constitute panels of members as conciliators;
- (c) register births, deaths and marriages;
- (d) implement and monitor village level development works;
- (e) improve water supply sources, maintain water supply distribution system and take measures to prevent contamination of water;
- (f) maintain village level infrastructure, footpaths, tracks, streets, prevent and abate nuisances and encroachments in public ways, public streets and public places;
- (g) maintain and improve collective property including playgrounds,

graveyards, funeral places, eid-gah, parks, public open spaces and community centers;

- (h) identify development needs of the area for use by municipal administration and district government in prioritizing development plans;
- (i) make arrangements for sanitation, cleanliness, disposal of garbage and carcasses, drainage and sewerage system;
- (j) display land transactions in the area for public information;
- (k) mobilize community for maintaining public ways, public streets, culverts, bridges and public buildings, de-silting of canals and other development activities;
- (l) develop sites for drinking and bathing of cattle;
- (m) organize cattle fairs and agriculture produce markets;
- (n) organize sports teams, cultural and recreational activities;
- (o) organize watch and ward in the area;

- (p) promote plantation of trees, landscaping and beautification of public places;
  - (q) regulate grazing areas, establish cattle ponds and provide protection against stray animals and animal trespass;
  - (r) consider and approve annual budget presented by the respective Nazim, village council or neighbourhood council;
  - (s) facilitate formation of voluntary organizations for assistance in functions assigned to it;
  - (t) facilitate the formation of co-operatives for improving economic returns and reduction of poverty;
  - (u) elect an Accounts Committee and review its recommendations on the annual statement of accounts and audit reports; and
  - (v) report cases of handicapped, destitute and of extreme poverty to district government.
- (2) The respective village council or neighbourhood council shall assist district government and tehsil municipal

administration in conducting surveys, collecting socio-economic data and selecting sites for municipal and social facilities and services.

## **8. Powers and Functions of the Naib Nazim-**

- (1) The Naib Nazim shall have the following functions and powers with regard to Council meetings;
  - (a) Preside over the Council meeting as and when convened by the Nazim.
  - (b) The Naib-Nazim shall:
    - (i) call the sitting to order;
    - (ii) preserve order and decorum;
    - (iii) have all powers necessary for the purpose of enforcing his decisions in the Council;
    - (iv) in case of disturbance or disorder in the galleries, have the power to cause them to be cleared;
    - (v) decide all points of order;
    - (vi) supervise the elections of the Standing and other Committees of the Council;
    - (vii) act as Nazim in case of situation warranted by the provision of Section 59(3) of the Act;



- (viii) have the powers to withdraw his consent already communicated for the presentation of a privilege motion, an adjournment motion or a resolution if some fresh material is furnished to him on account of which he is satisfied that the withdrawal of the consent already granted was necessary to be revoked;
- (ix) as soon as may be, after the commencement of every session, nominate, from among the members a panel of not more than two chairmen, any one of whom may preside at a meeting of the Council in the absence of the Naib Nazim, when so requested by the Naib Nazim: Provided that where no such request has been made by the Naib Nazim, any one of them may preside in the order in which their names appear in the panel.

Provided that If at any time at a sitting of the Council neither the Naib Nazim nor any member of the panel of chairmen is present, the Council shall, if there is a quorum, by motion elect one of its member present to preside and act as Naib Nazim and for this

purpose the Secretary shall hold the election by show of hand.

Provided further that the member competent to preside over a sitting of the Council shall, have the same powers as the Naib Nazim and all references to the Naib Nazim in the rules and byelaws shall in that case be deemed to be references to any such person so presiding.

## **9. Appointment of Secretary:**

The Secretary of the Council shall be posted or appointed by the Assistant Director, Local Government under the prescribed rules.

## **10. Duties, Functions and Powers of Secretary:**

(1) The Secretary shall.—

- a) assist the Nazim in coordinating the activities of the Council for coherent planning and development of infrastructure and effective service delivery;
- b) assist the Nazim and Council to supervise and oversee the implementation of different development programs in limits of the

Council;;

- c) prepare periodical reports including reports on implementation of development plans for presentation in the Council after approval of the Nazim;
- d) provide information required by the Council for the performance of their functions;
- e) provide information and data required to the Tehsil or Town Municipal Administration, District government and Local Government Commission through Assistant Director Local Government of the concerned district.
- f) act as the focal person for the office of the Council;
- g) ensure that the business of the Council is carried out in accordance with provisions of section 28 and 29 of the Act and any other law relating to Local Government for the time being enforce;
- h) ensure that the resources placed at the disposal of the Council are optimally utilized to improve governance;
- i) obtain approval of the Nazim in matters

of policy and important decisions before communicating such matters and decisions to the higher tiers of local governments;

- j) assist the Nazim in preparation of reports on the performance of offices situated within the limits of the Council;
- k) assist the Nazim in formulation of policy for the Council and bring the important cases in his notice; submit all proposals for taxation, along with the supporting rules and bye-laws to the Council through the Nazim; subject to the condition that the taxation proposals shall be processed as per standard procedure provided in the local government taxation rules;
- l) be responsible for the proper conduct of the business of the Council;
- m) ensure proper record keeping of all the business conducted by the Council;
- n) assist the Nazim in making arrangements for the amicable settlement of disputes as provided in Section 28 (c) of the Act.

- o) ensure monthly reconciliation of accounts with the concerned quarters by 10<sup>th</sup> of the succeeding month. In case of non-reconciliation of accounts, disciplinary action shall be initiated against the defaulter without any delay caused to the release of funds to the Council on this account
- (2) While submitting a case for the orders of the Nazim, it shall be duty of the Secretary to suggest a definite line of action.

## **PART – II**

### **OFFICE PROCEDURE**

#### **11. General procedure for disposal of business.-**

All orders shall be made in writing. Where a verbal order is made, the Secretary upon receiving the order shall take appropriate action if the situation so demands and reduce it in writing and as soon as may be, submit it to the Nazim for confirmation.

#### **12. Orders, Instruments, Contracts and Litigation.-**

- (1) All executive actions of the Council shall be expressed to be taken in the name of Council and shall be executed by the Nazim or Secretary.
- (2) The Council may sue and be sued in its name through the Secretary.

#### **13. Meetings.--**

The Nazim shall convene meetings of the Council and the Naib Nazim or in his absence any other member, shall preside over the meetings. The Secretary Council

shall perform the functions of Secretary of the Council.

**14. Information to be supplied to Committees.--**

- (1) The Chairman or a member of a Committee shall ask for information in writing and the Nazim shall supply the information as early as possible.
- (2) Where the requisite information is of classified nature, the information shall be supplied after observing all the formalities as prescribed in the relevant rules and instructions.

**15. Action on the reports of the Committees.--**

- (1) The reports of the Committees of the Council shall be examined by the Secretary and submit to the Nazim for action.
- (2) The Nazim shall inform the Council about the action taken by him on the report/reports of the Committees.

**16. Inspections by the Provincial Local Government Commission.--**

- (1) The Council shall provide all the necessary support to the Inspection Teams deputed by the

Provincial Local Government Commission while conducting annual and special inspections of the Council.

- (2) The office of the Council shall provide all the necessary assistance and relevant documents to the Commission promptly under intimation to the respective Nazim.

### **17. Inspection by the Nazim.--**

- (1) The Nazim shall inspect the working of the office of the Secretary once every three months. He shall pay special attention to-
- a) compliance with the rules, standing instructions, orders and directives;
  - b) security arrangements for the Council;
  - c) general office management;
  - d) Proper use and care of finances, property, equipment and stationery etc. under the control of an office.
  - e) Available stocks, assets, properties etc. in the Council.
- (2) A copy of the inspection report shall be submitted to the Council. The report shall also indicate steps taken or required to be taken for corrective measures.



## **18. Posting and Transfers:--**

The transfers and posting of officers in a Village or Neighbourhood Council shall be regulated by the Government transfer and posting policy for the time being in force.

## **PART - III**

### **REFERENCE TO THE NAZIM**

#### **19. Reference to the Nazim.-**

- (1) No order regarding the Council shall be issued without the approval of the Nazim in cases involving important policy or departure from important policy or in the following cases:
- a) proposals for the levy of new taxes and making or withdrawal of bye-laws;
  - b) resource position and budget proposals before presentation of the budget and financial statements to the Council;
  - c) vital social, political, economic and administrative policies of the Council;
  - d) requisition for meetings of the Council except meetings requisitioned for consideration of no confidence motion against him;
  - e) annual reports on the working and performance of Council for submission to the Government;
  - f) important reports and documents

required to be laid before the Council;

- g) cases involving departure from an earlier policy decision or decision of the Council;
- h) Any other case required by the Nazim through general or special order to be submitted to him

- (2) Notwithstanding the provisions of sub-rule (1), the Nazim may, in cases of urgency or other exceptional circumstances, give directions as to the manner of disposal of a case, without prior reference to him and the cases so disposed of shall be reported to the Nazim at an earliest opportunity thereafter for confirmation.

**Explanation:** For the purpose of urgency or exceptional circumstances means a situation where the routine administrative procedure is either not feasible or causes delay in timely response to the situation.

- (3) With respect to a case mentioned in sub-rule (1), the Secretary shall initiate a self contained note titled as “Note for the Nazim”, with specific recommendations and submit the case to the Nazim with appropriate advice.

- (4) The Note containing orders of the Nazim shall be returned to the Secretary.
- (5) The Secretary shall keep the Nazim generally informed of all matters affecting public tranquility in the Village or Neighborhood and cases having major political implications.

## **PART - IV**

### **MISCELLANEOUS PROVISIONS**

#### **20. Protection and Communication of Official Information.-**

- (1) A Government Servant shall not communicate any information acquired directly or indirectly from official documents or otherwise to the Media, to non-officials, or to officials belonging to other Government Offices, unless he has been, generally or specially, empowered or obligated to do so.
- (2) Ordinarily all official news and information shall be conveyed to the press through the Secretary, or official spokesperson of the Council nominated by the Nazim, in the manner prescribed generally or specially in each case.
- (3) The Secretary shall circulate instructions about the treatment and custody of official document(s) and information of a confidential or classified character.

#### **21. Channel of Correspondence.-**

Correspondence with the Government, District or City

District Government and Tehsil or Town Municipal Administration shall be conducted by the Secretary through the Assistant Director LG&RD of the district concerned.

## **22. General.-**

The business of the Council shall be transacted in accordance with the channels of communication laid down in these rules and instructions. If oral directions are given by the Nazim to the Secretary or any other officer or official of the devolved departments or Tehsil or Town Municipal Administration, the concerned officer or official shall communicate such orders or directions to his immediate superior, in writing, at the earliest.

## **23. Performance Evaluation Report.-**

The Reporting line for the Annual Performance Evaluation Reports of officials posted in the Village and Neighbourhood Councils and their supervisory staff in the district shall be as under-

<b>S#</b>	<b>Officers</b>	<b>Reporting Officer</b>	<b>1<sup>st</sup> Counter-signing Officer</b>	<b>2<sup>nd</sup> Counter-signing Officer</b>
1	Secretary Village and Neighbourhood Councils	Nazim Village and Neighbourhood Council	Tehsil or Town Supervisor Local Government	Assistant Director Local Government
2	Tehsil Supervisor Local Government	Assistant Director Local Government	District Nazim	Director General LG&RDD

24. **Repeal.**-The Khyber Pakhtunkhwa Union Administration (Rules), 2001 are hereby repealed.

**Secretary**  
**Government of Khyber Pakhtunkhwa**  
**Local Government, Elections & Rural**  
**Development Department**







